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ROLL

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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 1

Volumes [A] - D

February 1, 1790 - August 4, 1828

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INTRODUCTION

In this microfilm publication are reproduced the engrossed minutes of the Supreme Court of the United States. These minutes contain a complete report of the daily proceedings of each session and provide a record of the date, the names of members and officials of the Court who were present, the admission of attorneys to the bar of the Court, the swearing in of new members, rules adopted, the argument of cases by counsel, the submission of cases to the court, orders and decrees by the Court in individual cases, and other activities of the Court. The minutes are arranged chronologically by date of the meetings of the Court and are not indexed. The engrossed minutes are the final and complete record of the Court's proceedings, whereas the rough minutes are in the form of notes made daily in Court. Both sets of minutes are in the custody of the Supreme Court of the United States.

Among the cases brought before the Court are those that established the implied powers of the Federal Government and the power of the Court to pass on the constitutionality of acts of Congress and of the State legislatures; prize and admiralty cases; those involving questions concerning the neutrality of the United States in wars between foreign nations; treason cases; and cases involving the contract clause of the Constitution, interstate and foreign commerce, the slave trade and the status of slavery, the powers of the Federal Government during the Civil War and foreign wars, civil rights, labor disputes, immigration, wage and hour legislation, and Federal and State police power.

The Supreme Court of the United States, provided for in article III, section 1 of the Constitution, was established by authority of the Judiciary Act of September 24, 1789 (1 Stat. 73). The Court's jurisdiction extends to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties made under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime law; to controversies in which the United States is a party; and to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State or its citizens and foreign states, citizens, or sub-

jects. In all cases affecting ambassadors, ministers, and consuls, and those in which a State is a party, the Supreme Court has original jurisdiction. Its appellate jurisdiction is defined in various statutes; but as the circuit courts of appeals are competent to give final decision in the majority of cases, the Supreme Court usually hears only those cases that involve the construction or the constitutionality of legislative enactments or other issues of general importance.

Membership of the Supreme Court, as specified by the establishing act, consisted of a Chief Justice and five Associate Justices. Congress made frequent changes in the number of Associate Justices until in 1869 it fixed the number at eight.

The date set for the Court's convening has also changed frequently. The act that established the Court provided that two annual sessions be held, one to begin the first Monday in February and the other the first Monday in August. In 1801 an act provided that the Court should meet on the first Monday in June and December of each year. In the following year this legislation was repealed and the times for convening were restored as set forth in the act of 1789. Later in 1802 an act abolished the August term except for the receipt of motions and other routine business. As a result of these changes there was no session of the Court from December 1801 to February 1803. By an act effective in 1827 the annual term was set to begin on the second Monday in January; and effective in 1845, the day was changed to the first Monday in December. Again in 1873 the day was changed to the second Monday in October, and in 1916 to the first Monday in October, which remains as the day for convening the annual term. The Supreme Court may also hold special terms when necessary for the dispatch of its business.

Other records in the custody of the Supreme Court of the United States have been reproduced as a part of the microfilm publication program of the National Archives. These include the dockets from August 4, 1791 (Microcopy 216), the attorney rolls from February 5, 1790 (Microcopy 217), the case files from 1790 (Microcopy 214), and the records of prize cases heard on appeal from Colonial courts by committees of the Continental Congress, 1776-80, and by the Court of Appeals in Cases of Capture, 1780-86 (Microcopy 162).

Several groups of records that relate to the activities of Federal courts are in the National Archives. In Record Group 21, Records of the District Courts of the United States, are dockets, minutes, case files, and other records of some district courts and former circuit courts of the United States relating to the same types of cases and in some instances to the same cases as are recorded in the minutes of the Supreme Court. Record Group 60, General Records of the Department of Justice, contains correspondence, memoranda, reports, and other records relating to cases in which the United States was a party or had an interest. Record Group 118, Records of United States Attorneys and Marshals, contains records of United States attorneys and marshals that relate to Federal legal proceedings.

NOTES ON ROLL 1

The four volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / Supreme Court / U. S. / 1790 - 1805 / 1 / [A]"; (2) "Minutes / Supreme Court / U. S. / B / Feb. 3, 1806 / to / Feb. 3, 1817"; (3) "Minutes / Supreme Court / U. S. / C / Feb. 3, 1817 / to / Mar. 24, 1824"; and (4) "Minutes / Supreme Court / U. S. / D / August 2, 1824 / to / August 4, 1828." They contain the minutes of the Supreme Court of the United States from February 1, 1790, to August 4, 1828.

The first volume contains the minutes of the Court from February 1, 1790, to August [5], 1805; the second, from February 3, 1806, to March 15, 1817; the third, from February 11, 1817, to March 24, 1824; and the fourth, from August 2, 1824, to August 4, 1828.

VOLUME

A

At the Supreme Judicial Court of the United States, begun and held at New York, (being the Seat of the National Government) on the first Monday of February, and on the first day of said month Anno Domini 1790. ——

Present. ——

The Honble. John Jay Esquire Chief Justice
The Honble. William Cushing, and James Wilson, Esqrs. } Associate Justices.

This being the day assigned by Law, for commencing the first Sessions of the Supreme Court of the United States, and a sufficient Number of the Justices not being convened, the Court is adjourned, by the Justices now present, untill to Morrow, at one of the Clock in the afternoon. —

Tuesday, February 2nd. 1790. ——

Present ——

The Honble. John Jay Esqr. Chief Justice.
The Honble. William Cushing, James Wilson and John Blair, Esqrs. } Associate Justices. —

Proclamation

Proclamation is made and the Court is opened.

Letters patent to the Honble John Jay Esquire, bearing date the 26th. day of September 1789. appointing him Chief Justice, of the Supreme Court of the United States, are openly read, and published in Court.

Letters patent to the Honble William Cushing Esquire, bearing date the 27th. day of September 1789. appointing him associate Justice of the Supreme Court of the United States, are openly read and published in Court.

Letters patent to the Honble James Willson Esquire, bearing date the 29th. day of September 1789. appointing him Associate Justice of the Supreme Court of the United States, are openly read and published in Court.

Letters patent to the Honble John Blair Esquire bearing date the 30th. day of September 1789. appointing him Associate Justice of the Supreme Court of the United States, are openly read and published in Court.

Letters patent to Edmund Randolph of Virginia Esqr. bearing date the 26th. day of September 1789. appointing him Attorney General for the United States are openly read and published in Court.

Ordered, that Richard Wenman, be, and he is appointed Cryer of this Court.

Adjourned

Adjourned until to morrow at ten of the Clock in the forenoon.

Thursday February 3d. 1791.

Present

The Hond.le John Jay Esquire Chief Justice.
The Hond.le { William Cushing / James Wilson / John Blair Esquires } Associate Justices

Proclamation is made and the Court is open

Ordered, That John Tucker Esq.r of Boston be the Clerk of this Court — That he reside and keep his Office at the Seat of the National Government, and that he do not practice either as an Attorney or a Counsellor during the time he shall continue to be Clerk of the same.

The said John Tucker in open Court, takes the oath & Offices by Law prescribed to be taken by the Clerk of this Court, and the Oath to support the Constitution of the United States, and also gives Bond (with [illegible] as his Surety) for the faithful discharge of his Duty as Clerk of this Court according to Law in that behalf.

Ordered,

Ordered, that the Clerk of this Court cause the following mentioned Seals to be made accordingly, and when done that he convey them for the Circuit Courts of the United States respectively.

Supreme Court Seal

A Device of the Seal of the Supreme Court of the United States, engraved on a circular Copper Plate of the Size of a Dollar, with these words round the Device, The Seal of the Supreme Court of the United States.

Seals for the Circuit Courts of the United States

A Device of the Seal of the Circuit Courts of the United States engraved on a circular Copper Plate of the Size of half a Dollar, with these words in the Margin, viz. In the upper part, The Seal of the Circuit Court, in the lower part the name of the District for which it is intended.

Ordered, that the Clerk of this Court cause the following mentioned Seals to be made accordingly, and when done that he convey them for the Circuit Courts of the United States respectively.

Supreme Court Seal

A Device of the Seal of the Supreme Court of the United States, engraved on a circular Copper Plate of the Size of a Dollar, with these words round the Device, The Seal of the Supreme Court of the United States.

Seals for the Circuit Courts of the United States

A Device of the Seal of the Circuit Courts of the United States engraved on a circular Copper Plate of the Size of half a Dollar, with these words in the Margin, viz. In the upper part, The Seal of the Circuit Court, in the lower part the name of the District for which it is intended.

Adjourned to Friday the 5th day of February 1790.

Friday February 5th 1790.

Present.

The Hon[ble] John Jay Esq[r] Chief Justice
The Hon[ble] { William Cushing
James Wilson, and
John Blair Esq[rs] } Assistant Justices

Proclamation is made and the Court is opened.

Present Benjamin Rogers Esq^r
Thomas Hartley Esq^r and
Richard Harrison Esq^r

Whereupon it is ordered that the following persons be admitted Counsellors of this Court.

Ordered that (on the further motion) it appearing to the satisfaction of the Court that they have been duly admitted and sworn Attorneys or Counsellors in the Supreme Courts of the State to which they respectively belong, and that their private and professional character stands fair

Ordered that Counsellors shall not practice as Attorneys nor Attorneys as Counsellors in this Court.

Ordered, that they respectively take the following Oath Viz^t I A B do solemnly swear that I will demean myself as an Attorney or Counsellor of the Court uprightly and according to Law and that I will support the Constitution of the United States.

Ordered, that writs and until it shall be otherwise ordered by the Rules of this Court shall be in the

Name of

[illegible] Court of Hustings

adjourned untill Monday the eighteenth day of February

Monday February 8th 1796.

Present

The Recorder John Gray Esq. Chief Justice.
William Lushing
The Aldermen { James Lyon Esq. } Assistant Justices
{ John Dawson Esq. }

Proclamation is made and the Court is opened.

Upon Motion — John Laycock — Robert Sagwick — William Smith — Thomas Lee — John Richard Tarrick — and Robert [illegible] Esq. — Gentlemen according to Law admitted Counsellors of this Court.

William Hundley is appointed as the Deputy and is admitted accordingly.

Ordered that the next Court be held on Monday

Dawson

Tuesday February 3d 1791.

Present.

The Hon^ble John Jay Esq^r Chief Justice
The Hon^ble William Cushing
James Wilson and Associate Justices
John Blair Esq^r

Proclamation is made and the Court is opened.

Thomas Jones — Abraham Ogden — Cesna Bou
dinot — William Paterson — Richard Gilbert — and
Cornelius L Bogert Esq^rs are severally sworn as Attorneys, and are admitted as Counsellors of this Court.

Edward Livingston, and Jacob Morton Esq^rs are severally sworn as Attorneys of this Court.

Adjourned until February the tenth day. 1791.

Wednesday Feby 10th 1791.

Present.

The Hon^ble John Jay Esq^r Chief Justice.

The Hon^ble Willi

The Hon^ble { William Cushing / James Wilson and / John Blair Esq^rs } Justices

Proclamation is made and the Court is opened

Bartholomew De Forest — John Hoff — Peter Masterton and William Willcocks Esq^rs are severally sworn as the Law directs, and are admitted Attornies of this Court.

New York February 18th 1790 — Proclamation being made the Court is adjourned to the time and place appointed by Law.

(Signed) "John Tucker Clk"

At the Supreme Judicial Court of the United States begun and held at New York for the State of the District of Connecticut on the first Monday of August, and on the second day of said Month Anno Domini 1790.

Present.

The Honble John Jay Esq. Chief Justice.

The Honble { William Cushing, James Wilson, John Blair, James Iredell Esqrs. } Associate Justices

Declaration is made on the Court in favour

of Isaac Saltonstall to the Honble James Iredell Esqr. remaining the 10th day of January 1790 appointing one of the Associate Justices of the Court, on whose seat was published in Court.

Ordered, that the Clerk of this Court procure a Seal for the Circuit Court of the State of Rhode Island and Providence Plantations, similar to the seal used by the last Court, and when done that no Causes be Entered to be common to the Clerk of the Circuit of the said State &c.

Richard

Lieutenant Bayard, and John Laing Esq.ʳ were sworn as the Law directs, and admitted Counsellors of this Court.

Adjourned to Tuesday the 3ʳᵈ day of August 1790.

Tuesday August 3ᵈ 1790.

Present

The Hon.ᵇˡᵉ John Jay Esq.ʳ Chief Justice

The Hon.ᵇˡᵉ { William Cushing, James Wilson, John Blair, James Iredell Esq.ʳˢ } Associate Justices

Proclamation is made and the Court is opened.

Barnabas Bidwell Esq.ʳ is sworn as the Law directs and is admitted a Counsellor of this Court.

New York, August 3ᵈ 1790. Forasmuch as Business being made this Court is adjourned until to morrow ten o'clock and then to sit &c.

Attest John Tucker Cl.ᵏ

At the Supreme Court of the United States
begun and held at Philadelphia for the Seat of the
National Government on the first Monday of February
the Seventh day of said month Anno Domini 1791

Present

The Hon.ble John Jay Esq.r Chief Justice
The Hon.ble { William Cushing
James Wilson Esq.r
James Iredell Esq.r } Associate Justices

Proclamation is made, and the Court is opened.

Ordered, that the Commissions now produced from
the Governor of this State to William Cushing Esq.r
James Wilson Esq.r and James Iredell Esq.r as Associate
Justices of this Court shall be read and entered on the
Minutes of this Court which is accordingly done.

Whereupon the said William Cushing James Wilson and James Iredell
severally take and subscribe the Oath or Affirmation required by the
Act of Congress to be taken by the Justices of this Court.

Ordered, that the Commissioner

William Bradford James and Alexander Dallas Esq.rs having been proposed by the Attorney General of the United States for admission as Counsellors of this Court they are severally sworn and admitted to practice accordingly.

Miers Fisher Esq.r having been proposed by the said Attorney General for admission as a Counsellor of this Court he is severally sworn and is admitted to practice accordingly.

Jonathan Dickinson Sergeant ___ Jared Ingersoll ___ Edward Tilghman, and James Hunter Esq.rs having been proposed by the Attorney General of the United States for admission as Counsellors of this Court they are severally sworn and admitted to practice accordingly.

Adjourned to Tuesday the 8th day of February 1791.

Monday February 7th 1791.

Present

The Hon.ble John Jay Esq.r Chief Justice

The Hon.ble { William Cushing / James Wilson and / James Iredell Esq.rs } Justices

Proclamation

Proclamation to meet and the Court is opened

The only Justice now before the Court is Letter to have re-
moval from the Judge of the District Court of New York
which was read and is in the words following Viz! the
Court of New York, January 26th 1791 — Viz!
On Complaint of the Collector and Proof on Oath, I commit-
ted Joseph Cockburn Master of the Sloop Hiram to the
Gaol of this City on the 12th of November last for a Breach
of the Impost Laws represented by Injury — Charles
Duke has Mate than a few days before been committed for
landing and storing a Quantity of Coffee before Report or
Entry, and in the Night time: and both have ever since re-
mained in Confinement for want of Sureties for their appear-
ance. An unusual Affair of the Customs was about the time
of the removal of Congress, persuaded by the Secretary of
the Treasury for materially in permitting Goods to be land-
ed after Sunset — As there are Circumstances which, in
the Opinion of the principal Officers, rendered any criminal
Intention Questionable; it was determined that a Judicial
Enquiry should precede his Removal or Restoration. In the
mean time deprived of the means of Subsistence, he is impo-
tent for a time — Each of these Cases, one in general
any Officer may subject to fine or corporal Punishment, em-
ply Experts, are excluded from the Authority of the Clause
cited by the Letter of the Punishment, and all criminal Cog-
nizance thus circumscribed, as a Question to be Commonly
without any Public Advantage — I find it therefore
my Duty to make this Representation, that the Supreme

Court

Court should convene at such time as the Court may be appointed for that District and the Persons so suspended & Offices be punished or restored as justice shall require. I have the honor to be with great Respect, Sir, Your most obedient humble Servt

James Duane

Honorable
The Chief Justice of the United States.

Thereupon Ordered, that a Special Session of the Circuit Court be held at the City of New York in and for the District of New York on the twenty first day of February instant next, and that authenticated Copies of this Order be transmitted by the Clerk of this Court to the Judge and the Clerk of the said District Court and to the Attorney of the United States for the said District.

It appearing from the Information of the Attorney General that divers persons charged with Offences against the Laws of the United States are now confined in the Goal of the City of Philadelphia and that provision for the Safety of the said Persons as well as keeping Men who are detained as Witnesses it would be expedient that a Special Session of the Circuit Court should be speedily held, Ordered that a Session of the said Court for the trial of Criminal Causes be held at the City of Philadelphia on the last Tuesday

Attest

District of Pennsylvania on the twenty first day of February instant next, and that authenticated Copies of this Order be transmitted by the Clerk of this Court to the Judge, and the Clerk of the said District Court, and to the Attorney of the United States for the said District.

Edward Burd Esq^r Jasper Yeates Esq^r William Patton Esq^r Moses Levy Esq^r John B. Wilkins Esq^r and Charles Heatly Esq^r having been proposed by the Attorney General of the United States, for admission as Counsellors of this Court: they are severally sworn according to the Order thereof, and are admitted to practice accordingly.

William Rawle Esq^r having been proposed by the said Attorney General for admission as a Counsellor of this Court: he is affirmed agreeably to the Order thereof, and is admitted to practice accordingly.

Jasper Yeates Esq^r Alexander J. Dallas Esq^r Thomas Fleming Esq^r Peter A. Browne Esq^r and Joseph Hopkinson Esq^r having been proposed by the said Attorney General for admission as Counsellors of this Court, they are severally sworn agreeably to the Order thereof, and are admitted to practice accordingly.

John Todd Junr Esq^r having been proposed as aforesaid

for admis-

for admission as a Counsellor of this Court to practice according to their Order and is admitted to practice accordingly.

Joseph Anderson — Joseph B. McKean and Benjamin Chew Esqrs having been proposed by the Attorney General aforesaid for admission as Counsellors of this Court, they are sworn agreeable to the Rules of Court and admitted to practice accordingly.

John Caldwell and Benjamin R. Nugent Esqrs having been proposed by the said Attorney General for admission as Attorneys of this Court the said John is sworn, and the said Benjamin is affirmed according to the Rules of Court and is admitted to practice accordingly.

Nicholas and Jacob Vansluphost
vs
State of Maryland.

The Marshall of the District of Maryland returns the Summons in this Cause that he has in Obedience to the Writ caused to be summoned the State of Maryland by serving a Copy of the said Writ on the Governor and Council and Attorney General of said State in presence of Joshua Barney and Robert Bowie.

Jeffer Hartley Attorney General of the State of Maryland having in Court entered John Caldwell by his order an appearance for the said State of Maryland in action of Edmund Randolph Esq Attorney General for the United States of Counsel for the Plaintiffs, Prayed that the said appearance be entered, and on like motion it was Ordered by the Court that the said State plead in three months from the second day of this term or judgment &c

Philadelphia February 8th 1791 This Court is adjourned to meet at the time and place appointed by Law. —

Sign'd John Tucker Clk

At the Supreme Court of the United States
begun and held at Philadelphia during the Seat of
the National Government, on the first Monday in
August and on the first day of the said Month,
Anno Domini 1791.

Present

The Hon^ble John Jay Esq^r Chief Justice
William Cushing
The Hon^ble { James Wilson
John Blair and
James Iredell Esq^rs } Associate Justices

Proclamation is made and the Court is opened.

Ordered that Samuel Bayard be the Clerk of this
Court in the room of John Tucker Esquire, Deceased;
he is accordingly directed to give Bond as by
Law directed, and is sworn to the faithful discharge
of all the duties of his Office and to support the Con-
stitution of the United States.

On motion of the Attorney General John^n Lowell
is admitted to practice as a Counsellor of this Court and
is sworn according to Law, and Order.

Nicholas

Andrew Elliot Complainant Pltff

vs

The State of Maryland Defdt

In Chan.

The Attorney General being of Council for the Plaintiffs moves the Court for a Commission to take the Depositions of certain Witnesses residing in Holland, with the consent of the Attorney who attended on the part of the Defendant State.

The Court refuse the Commission until the Commissioners should be named.

The Court adjourned till to Morrow at ten o'clock.

Tuesday August 2nd 1791.

Present.

The Hon.ble John Jay Esqr Chief Justice.

The Hon.ble { William Cushing / James Iredell jun.r / John Blair Junr / James Wilson Esqr } Associate Justices.

Recommendations in motions and the Court is opened.

On motion

On motion of William Bradford Esqr. Attorney
General of Pennsylvania, Thomas Smith Esqr.
of Philada. on Pennsylvania is duly admitted &
Sworn & solemnly assumed and an Attorney &
Counsellor in this Court, agreeably to Order.

William West Esqr. in like
manner

Thomas Lloyd Esqr. in like manner

Mr. Bradford is given to the Court to understand that
he is a Writ of Error brought out of the Supreme
Court of the Eastern District of Pennsylvania
to this Court which commands the Justices of the
Judgment and proceedings mentioned in the Record
thereof to this Court with speed &c.

On motion of Mr. Bradford it is ordered that the Plaintiff
in Error file his assignments of Error in this Cause

Mr. Bradford moved for an order that the Defendant in
Error assign Errors

Counsel [illegible] of the Defendant in Error
to file

of this Court agreed to the validity of the Writ in question and on that principle to the said motion for — The arguments on both sides being heard the Court reserved the matter that they might consider the question.

The Court adjourned till ten o'Clock to morrow.

Wednesday August 3rd 1791

Present

The Hon^ble John Jay Esquire Chief Justice.
William Cushing
James Wilson
John Blair and
James Iredell Esq^rs } Justices

Thomas Lloyd Attorney General of Pennsylvania and Joseph Hopkinson Esq^r of the City of Philadelphia is admitted to practice as a Counsellor of this Court, and is sworn agreably to the Act.

Rule now [illegible] is given unto the Justices appointed by the Court to [illegible] Edward Tilghman John Sergeant & James Ross Esquires that they do, for the faithfull performance of the duties of the said Office, Viz as by Law directed — Ordered that the Rule be returned by Mr Dallas to the Justices of the United States, and that the receipt for the same be given in the Clerks Office of this Court.

It appears

It appearing from the Information of the Attorney General, that a certain Eleanor McDonald was committed to the Gaol of this City of Philadelphia charged with an Offence against the Laws of the United States, and that for the aiding in escape of the said Eleanor as may be charged with Offences against the Laws of the United States it is ordered & Expedient that a Special Session of a circuit Court in and for the District of Pennsylvania should be speedily held.

Ordered, that a Special Session of a circuit Court for the hearing of criminal causes be held at the City of Philadelphia in and for the District of Pennsylvania on the fifteenth day of August instant, and that authenticated copies of this Order be transmitted by the Clerk of this Court to the Judges and to the Clerk of said District and to the Attorney of the United States for said District.

William West Esqr
vs
Daniel Burns Esqr } In Case

The Court refused to grant the rule prayed for this Case yesterday, being unwilling to establish a precedent to embarrass Courts in their proceedings, by irregularly issuing writs from the Clerks office of this Court.

Supreme

Supreme Court of the United States.

Jacob van Hasphorst &
Nicholas van Hasphorst
vs
The State of Maryland
} Rule.

It being suggested to the Court that several persons who are material witnesses to both Parties in the above cause reside in Amsterdam in Holland. It is thereupon ordered on motion of Mr Ramsay of Counsel for the Plaintiffs and with the consent of Mr Ingersoll of Counsel for the Defendants, that a Commission do issue to Messrs Jan Schimmelpenninck, Peter Stadnitski and Hendrick Bollenhoven as Commissioners on the part of the Plaintiffs and to Messrs Bonifacius Charles Van Eyken P. C. Fabius and Willem Willink as Commissioners on the part of the Defendants, for the purpose of taking the Depositions of such witnesses as shall be brought before them, so that one of the four Commissioners named on the part of the Plaintiffs and one of the four Commissioners named on the part of the Defendants do attend the execution thereof, and that the depositions so taken and certified under the hands and seals of the Commissioners so taking the same shall be read and received as evidence on the hearing of the above Cause.

John Bayard Clerk

At a Supreme Court of the United States begun and held at Philadelphia during the Sessions of the national government for the first Monday of February and the sixth day of said month Anno Domini 1792.

Present:

The Hon.ble { James Wilson / John Blair and / James Iredell Esqrs } Associate Justices

This being the day appointed for holding a Session of the Supreme Court of the United States, but a sufficient number of the Justices not being convened the Court is adjourned by the Justices now present until to-morrow at twelve o'clock.

Tuesday February 7th 1792.

Pursuant to adjournment.

The Hon.ble { James Wilson Esqr. / James Iredell Esqr. } Associate Justices

This day met but a sufficient number of Justices not being convened to constitute a Court, the Justices now present adjourn until to-morrow at twelve o'clock.

Wednesday

Wednesday February 8th 1792

Pursuant to adjournment

The Hon^ble { James Wilson and James Bidell Esq^rs } Quorum Justices

But this day at the City Hall but there not being a sufficient number of Justices Convened the Court is adjourned by the Justices now present until to morrow at twelve o'clock

Thursday February 9th 1792

Pursuant to adjournment

The Hon^ble { James Wilson and James Bidell Esq^rs } Quorum Justices

But they met at the City Hall but there not being a sufficient number of Justices convened the Court is adjourned by the Justices now present until to morrow at twelve o'clock

Friday February 10th 1792

Present

Pursuant to adjournment

The Hon^ble { William Cushing / James Wilson / John Blair and / James Iredell Esq^r } Assistant Justices

This day met at the City Hall, and there not appearing a sufficient number of Justices constituting a Court, a proclamation for adjournment was made and the Court is closed.

No business being before the Court it is adjourned to be to morrow at eleven o'Clock.

Saturday February 11th 1792.

Pursuant to adjournment.

The Hon^ble { William Cushing / James Wilson / John Blair and / James Iredell Esq^r } Assistant Justices.

Not this day at the City Hall.

Proclamation is made and the Court is closed.

Elizabeth Kelly and Elizabeth Holt Administratrices of John Holt deceased ... Pltfs
vs
The State of New York ... Defts
} Summons in Error

Last week the Return of the Marshall of the State of New York in this case is made in open Court by Mr Sergeant of Counsel for the Plaintiff in Error a motion was made by Mr Emmet of Counsel for the Defendants to compel the appearance of the State.

The Court informed Mr Sergeant that they would consider his motion.

On motion of the Honorable Thomas Addis Emmet, the Honorable William Irving and Abraham Baldwin Esquires are admitted as Counsellors of this Court, and are sworn accordingly.

On motion of the Attorney General the Honourable John M. Killian is admitted as Counsellor of this Court, and is sworn accordingly.

By consent of Parties the Suit of
Jacob Fischer Van Rensselaer Plaintiff
vs
Peter J. Hoagland Defendant
} Error

is continued

is continued over to the next term.

The Business before the Court for this day being finished it is adjourned by proclamation until tomorrow ten o'clock.

Monday January 20th 1794

Pursuant to adjournment

The Hon^ble { William Cushing / James Wilson / John Blair / James Iredell Esq^r } Associate Justices

This day met at the City Hall.

Proclamation is made and the Court is opened.

On motion of Mr Attorney Genl. R. H. Blackburn Esqr. is admitted as Counsellor of this Court and is sworn accordingly.

The Court is adjourned by proclamation until to-morrow ten o'clock.

Tuesday

Tuesday February 16th 1792

Pursuant to Adjournment

The Hons { William Cushing / James Wilson / John Blair and / James Iredell Esqrs } Associate Justices.

This day met at the City Hall.

Proclamation is made and the Court is opened.

The Clerk in obedience to any Order of the Court and over having produced a Receipt from the Treasurer of the United States for his bond which he has given for the faithful performance of the duties of his said office and it being represented to the Court that agreeably to the practice of the Supreme Court the said Bond ought to be entered with the Register of the Treasury, the Court therefore direct that the said Bond be delivered to the said Register.

Ebenezer Oswald who survived
Elizabeth Hall administratrix of
John Hall deceased ---- ----
vs
The State of New York.

On motion of Mr Dallas for the Plaintiff rule is now given

leave to withdraw his motion for a distringas & the
defendant Rule and for a discontinuance of Action
to be entered thereon.

On motion of the Attorney General of the United States
Jerry Cunningham, Attorney for the United States
the District of Delaware is admitted a Counsellor of
this Court & sworn accordingly.

Proclamation being previously made the Court is
adjourned to the time and place appointed by Law.

Jam Bayard Clk

Tuesday August 6th 1792.

At a Supreme Court of the United States, held at the City of Philadelphia (being the present Seat of the National Government) for the first Monday of August in the Sixth day of the said Month, Anno Domini 1792.

Present

The Honble John Jay Esq. Chief Justice

The Honble { William Cushing / James Wilson / John Blair / James Iredell / Thomas Johnson } Esqrs. Associate Justices

Whereupon it is ordered that the Court do adjourn until Monday next the Seventh day of November next. And it is further ordered by the Honble Thomas Johnson Esqr. one of the Associate Justices of the Supreme Court of the United States, that the Marshal of the said States do forthwith cause public notice to be given of the Adjournment of the said Court.

Adjd

State John Hallowell Esq. is ordered to
forward to the Attorney of the United States
for the District of Columbia

Lucy Ann Nichols Complainant
vs
The State of Maryland } In Eq.

On motion of the Attorney General of counsel
for the Complainant, and consent of the Solicitor
of counsel for the Defendant, that this cause be
discontinued, each party bearing equal costs
thereof.

Thomas Ogden Esq. of counsel for
Thomas Swann Esq. Attorney
vs
State of New York } In Eq.

The Solicitor General of counsel for the Plaintiff moves
the Court for leave to withdraw the Bill of Complaint
in this cause. It is ordered by the Court that the
Bill of Complaint be withdrawn accordingly.

for

Mr Ingersoll that they would consider his motion

The Attorney General of the United States informed

the Court that on Wednesday next he would move

for a Mandamus to be directed to the circuit

Court for the District of Pennsylvania, commanding the

said Court to proceed to a certain petition of Wil-

liam Taylor applying to be put on the pension

list of the United States as an invalid Pensioner.

Declaration is made and the Court is informed

and to move on the 4th

Secretary of War, August 1792

Pursuant to adjournment

In South Carolina say by Chief Justice

Mr Hunter { William Cushing, James Wilson, John Blair, James Iredell, Thomas Johnson } different positions

Mr

This day met at the City Hall

Proclamation is made and the Court is opened

George Kingsley Vallas
vs
Thomas Jenkins
} Complaint Replevin

The complaint of Justice appear that this cause
be continued to the next Term

The Attorney General moves the Court to be
informed of the Custom of practice by which the
Attorneys and Counsellors of this Court shall
receive Remuneration most of the Cases in which
they are employed for their services & official

The Court informed the Attorney General and
the Gentlemen of the Bar that they have any
remarks to offer on the subject of the rules of
practice to be adopted that this Court will
Day to hear them

Chapman

Chisholm Executor &c
Plaintiff
vs
The State of New York
Defendant

On motion of Mr Ingersol of counsel for the Plaintiff
ordered that the Marshall of the New York district
do arrest the said defendant if to be found before the
appointment of this Court, if a copy of this rule
personally be served upon him or his deputy or
attorney on the first day of the next term. And that in
case of neglect the cause be heard ex parte
unless before one of the Judges of the United States

Ordered until 11 o'clock

Wednesday the 8th of August 1792.

Pursuant to adjournment

The Honorable John Jay Esqr Chief Justice

Wilson

Hon^ble. { Wilson Lumpkin / James Meriwether / John Blair / James Trudeau &c. / Thomas Stevens Esq^r } Assistant Justices

met at the City Hall.

Proclamation is made and the Court opened

The Chief Justice on account of the absence of

the Attorney General made application

unto the Court That this Court requires the

practice of the Courts of Kings Bench and

Chancery in England as nearly as may be

for the practice of this Court and that they

will from time to time make such alterations

therein as circumstances may render necessary

Counsel heard for the

State of Georgia

vs

Samuel Beauchamp & Wife

etc

Bill was duly filed and sworn by Mr Taylor of counsel for the Governor and State of Georgia for an injunction to the Circuit Court for the District of Georgia to stay proceedings in a certain cause in which motion was made for the appointment of the marshal to sell certain vessels &c

Yesterday in the morning came the Attorney General of America to shew cause why a mandamus should issue to the Circuit Court for the [redacted] Pennsylvania district for the purpose argued on the said motion. The Court ordered that the Attorney General be at liberty to move this motion ex officio. The argument on this point is adjourned.

Adjournment is made over the Court ingrossed until to morrow at 11 o'clock.

Saturday the 13th of August 1792

Adjournment & adjournment

The

The Honorable John Jay Esq. Chief Justice

The Honble { William Cushing / James Wilson / John Blair / James Iredell / Thomas Johnson Esq. } Justices

this morning met at the City Hall

Proclamation is made and the Court proceeds

to { Edmund Randolph on behalf of the State of Georgia / vs / Samuel Brailsford &c. } Bill of Equity

The Court proceeded to hear the arguments on the motion in this cause and having heard counsel on the same, ordered the motion to be overruled

Friday the 11th of August 1793

Pursuant to adjournment

The

The Honble John Jay Esqr Chief Justice

Present { William Cushing, James Wilson, John Blair, James Iredell, Thomas Johnson Esqrs } Assocate Justices

This day met at the City Hall

Proclamation is made and the Court opened

The Court proceeded to hear the Attorney General

in relation to the powers and extent of his office.

The Court adjourn until to morrow at ten oclock.

Saturday the 11th of August 1792.

Present as adjournment.

The Honble John Jay Esqr Chief Justice

Present { William Cushing, James Wilson, John Blair, James Iredell, Thomas Johnson Esqrs } Assocate Justices

This

This day met at the City Hall

Proclamation is made and the Grand Jurors

Alexander Hamilton Esq.
& Robert Augustus Bee
vs
The State of Georgia

Sworn

Proclamation being severally made in the words following Viz Jurors answering to their names to appear for the State of Georgia in the Case brought in this Court by a Summons Commonly called a Capias Ad Respondendum at the Suit of Robert Augustus Bee of the State of South Carolina against the said State of Georgia, to appear to come forth and appear accordingly & not depart without Leave of the Court &c. The Grand Jurors returned by the Sheriff to attend this Court at this Term did answer to their names & the Jurors whose names are hereunto annexed

an application to be entered on behalf of the said Rule
on the fourth day of next term, or shall then show cause
to the contrary, in pursuance of which the said Rule
was made absolute, a writ of error as of course should
not be awarded.

Ordered with consent of the Counsel that
the consideration of this motion be postponed
until the first motion day in February next.

The Court being divided in their opinions on the
subject of the Attorney Generals authority in office
to move the Court for a mandamus to the circuit
court for the Pennsylvania district to correct the
error complained of in the case of William Singleton
& wife versus the same defendant.

Edward Tilghman Esq^r }
at } vs. In Equity.
Samuel Emlen Esq^r }

The Court were not prepared to give judgment
in this case & they will announce their opinion to the

& Marshall for the [illegible] as [illegible]
ben or may be levied and [illegible] of
any execution issuing from the Circuit Court
of this [illegible] and the [illegible] of Edward
Braidford Esq. by James Sterling and to
detain the same in his hands until further
order of this Court.

The Court proceeded to hear the Attorney Gen-
eral as counsel for William Hepburn on a
motion for a mandamus directed to the
circuit Court for the County [illegible]
command the said Court to proceed on the
petition of the said William Hepburn.

The Court informed the Attorney General that
they will hear the motion when [illegible]
until the next term.

All business now [illegible] is continued
to the next term and the Court is adjourned
by Proclamation to the first Tuesday in April
next.

At a Supreme Court of the United States held at Philadelphia (being the Seat of the National Government) on the first Monday in February and the fourth day of the said Month of 1793.

Present

The Honorable John Jay Esquire Chief Justice

The Honorable { William Cushing / James Wilson / John Blair / James Iredell Esqrs } Associate Justices

Proclamation is made and the Court opened.

Alexander Chisholm Citizen of the State of South Carolina late Executor of Robert Farquhar of the same deceased } Plt. / The State of Georgia } Def. } In Case

The Court agree to hear the Attorney General to motion in support of his motion in this Cause made at the last term.

Thursday next for hearing the Argument in the Cause of Ebenezer Kingsley and others Pltfs Thomas Jenkins removed into

the

this Court by Writ of Error from the [illegible]
Court for Massachusetts District.

Edward Telfair Esq.
Governor of the State
of Georgia in behalf of
said State
vs
Samuel Bradford Esq.

} Bill in Equity

On Affidavit filed stating the
inability of James Spalding a person Summoned
to attend the Court as a Witness in this
Cause Mr. Dallas of Counsel for the
State of Georgia moved the Court that a
Commission be awarded to take the Deposition
of said James Spalding to be read as evidence
in this suit.

The Court informed Mr. Dallas
that they would hold his motion under
advisement and acquaint him with their
determination after hearing the Argument
and when they should deliver their opinion
on the demurrer filed in this cause.

A Rule was this day made of
the Commission awarded by this Court in the
case of Jacob and Nicholas Vanbrugh v. the

and other papers accompanying the same
Ordered

That the said Commission be
opened and taken with the papers sent
to this Court filed in the Clerks Office.

James Hartley Esq. this day
applied to the Court for permission to be
sworn to the truth of a certain deposition
accompanied by certain papers offered to
the Court intended as be suggested as the
foundation of a motion for a writ of error
to be directed to the Supreme Judicial Court
of the State of Massachusetts

The Court on perusal of the deposition
with the papers annexed thereto refused the
said application until certain expressions
contained in the deposition offered imputing
corrupt motives to the Judges of the said
Supreme Court of Massachusetts be expunged.

The Court adjourned until to morrow
at eleven Oclock.

Tuesday 5th February 1793

Pursuant to Adjournment

The Honorable John Jay Esq. Chief Justice

The Rests { William Cushing, James Wilson, John Blair, James Iredell Esq. } Associate Justices

This day met at the City Hall

Alexander McMahon Executor of Robert Farquhar dec. vs The State of Georgia } In Case

The Court proceeded to hear the Attorney General in support of his motion in this cause but considering that no appearance had been entered on the part of the State of Georgia and regarding the question involved in the suit as highly important & support to the Constitution of the Court that if any one disposed to offer their sentiments on the subject now under consideration the Court was willing to hear them.

Proclamation being made the Court adjourned till tomorrow at eleven o'clock.

Wednesday 6th February 1793

Pursuant to adjournment the Court met this Morning at the City Hall

Present

The Honorable John Jay Esq. Chief Justice

The Hon.ble { William Cushing, James Wilson, John Blair & James Iredell Esq.rs } Assoc.te Justices

Proclamation is made and the Court opened.

The Court proceeded to hear the Argument in the Cause of Edward Telfair &c. in behalf of the State of Georgia v. Samuel Bradford & others and having heard Counsel adjourn the further hearing of the same until to morrow.

The Court adjourn until to morrow at eleven Oclock.

Thursday 7th February 1793

Pursuant to Adjournment the Court met this morning at the City Hall

Present

The Honorable John Jay Esq. Chief Justice

The Hon.ble { William Cushing, James Wilson, John Blair &, James Iredell Esq. } Assoc.te Justices

Edward Telfair Governor of Georgia in behalf of said State v. Samuel Bradford & al.ts } Bill in Equity

The Court proceeded to hear the further Argument of this Cause, but the Counsel concerned not having finished the same it is adjourned until to morrow, at eleven o'Clock.

Friday, 8th February 1793

Pursuant to Adjournment the Court this morning met at the City Hall.

Present

The Honorable John Jay Esq.r Chief Justice

The Honble { William Cushing / James Wilson / John Blair & / James Iredell Esq.rs } Associate Justices

Edward Telfair Governor of Georgia in behalf of said State v. Samuel Bradford & al.ts } Bill in Equity

The Court having heard the further Argument of this Cause adjourn until to morrow at eleven o'Clock.

Saturday 9th February 1793

Pursuant to Adjournment the Court met this Morning at the City Hall

Present

The Honorable John Jay Esq. Chief Justice

The Honble { William Cushing / James Wilson / John Blair & / James Iredell Esqrs } Associate Justices

Motion for the admission of James Martin Esq. the Attorney General of the United States laid before the Court certain printed Lists of Attornies in the Island of Jamaica (belonging to Great Britain) for several years with certain Certificates in proof of Mr. Martins Citizenship in the State of New York and of his admission to practice as a Counsellor in the Courts of Chancery and of the Supreme Court of the said State; also sundry Letters in proof of the good moral and professional Character of Mr. Martin on which grounds the Attorney General moved for the admission of Mr. Martin to practice as a Counsellor of this Court ——— The Court informed the Attorney General that they would take the motion under consideration.

Edward Telfair Governor of Georgia &c.
vs
Samuel Braidford Junr } Bill in Equity

The Argument of this Cause was continued and this day was concluded.

Ebenezer Kingsley Junr
vs
Thomas Jenkins } In Error from Maryland

The Court proceeded to hear the argument of this Cause but the Counsel not having finished the same the Court adjourn until Monday next at eleven o'Clock.

Monday 11th February 1793

Pursuant to adjournment the Court met this Morning at the City Hall

present

The Honorable John Jay Esqr Chief Justice

The Honble { William Cushing / James Wilson / John Blair / James Iredell Esqrs } Associate Justices

The Court proceeded to hear the further Argument of the Cause of Ebenezer Kingsley and others vs Thomas Jenkins but the same not being finished the further hearing

of the Peace for the County of Worcester at Eleven O'clock at which time the Court adjourn'd.

Tuesday 12th February 1793

Pursuant to Adjournment the Court met this Morning at the City Hall

Present

The Honble { William Cushing, James Sullivan, John Sloss Hobart, James Iredell Esqrs } Associate Justices

Proclamation is made and the Court opened.

The Chief Justice being prevented by indisposition from attending Court this day the Justices present adjourn for the further hearing of the Arguments in the case of Ebenezer Kingsley Vs. Thomas Jenkins until to morrow at eleven O'clock.

Wednesday 13th February 1793

Pursuant to adjournment the Court met this Morning at the City Hall

Present

The Honble John Jay Esqr Chief Justice

The Honble { William Cushing, James Sullivan, John Sloss Hobart, James Iredell Esqrs } Associate Justices

and others v.s Thomas Jenkins presented his
this argument but not having heard the
same The Court adjourn for the further
hearing of the said argument until to-
morrow at eleven o'Clock

Thursday 14th February 1793

Pursuant to adjournment the Court met this
Morning at the City Hall

present

The Honorable John Jay Esq. Chief Justice

The honble { William Cushing / James Wilson / John Blair & / James Iredell Esqrs } Associate Justices

The Court this day informed Mr
Martin (who's admission as Counsellor of this
Court was moved for by the Attorney General on
Saturday last) that as it appears that the
Supreme Judicial Court of the State of Massa-
chusetts have declined admitting him to
practice as a Counsellor of that Court on the
ground of his not appearing to that Court
to be a Citizen of either of the United States
and his having refused to be naturalized This
Court will not thus incidentally determine

on the motion of the Attorney General above referred to.

James Martin Esq having withdrawn from the deposition offered to the Court on Monday the 9th instant certain expressions reflecting on the Conduct of the Judges of the Supreme Court of the State of Massachusetts offers the same with the papers annexed and prays to be sworn to the truth of the said deposition as the ground of a Writ of Error to be directed to the aforesaid Judges to remove to this Court a certain proceeding on which an erroneous Judgment is stated to have been given by the Judges of the said Supreme Court to the prejudice of the rights of the said James Martin Esq as a Citizen of the United States.

Ordered

That the said James Martin Esq be sworn to the truth of the said deposition and that it be filed with the papers annexed in the Clerks Office.

Edmund Pendleton & others
vs
Thomas Jenkins

The Counsel concerned forwarded in

the argument of this Cause and having finished the same the Court adjourn for the further hearing of the said argument until tomorrow at eleven Oclock.

Friday, 15th February 1793

Pursuant to adjournment the Court met this morning at the City Hall

Present

The Honorable John Jay Esq. Chief Justice

The Honble { William Cushing, James Wilson, John Blair & James Iredell Esqrs } Associate Justices

Ebenezer Kingsley and others
v.s
Thomas Jenkins

The Counsel concerned proceeded in the Argument of this Cause and finished the same on this day.

The Court announce that on Monday next they will determine the question agitated in the Case of Alexander Chisholm Executor of Robert Farquhar dec.d v.s The State of Georgia — Whether either

of the United States can be made a defendant in an Action at the Suit of one or more individuals of another State?

The Court adjourned until tomorrow at eleven Clock.

Saturday, 16th February 1793

Pursuant to adjournment the Court met this morning at the City Hall.

Present

The Honorable John Jay Esq. Chief Justice

The Honble. { William Cushing / James Wilson / John Blair Esq. } Associate Justices

Thomas Pagan vs Stephen Hooper

Mr. Tilghman of Counsel for the Plaintiff moved for a second writ of Error in this Cause to remove the proceedings had in the same before the Supreme Judicial Court of the State of Pennsylvania:

The Court having heard a Copy of the Record in the Case read and considered

the same rule of practice which the Court applied for might not to be granted.

The Court adjourn until Monday at eleven O'Clock.

Monday, 18th February 1793

Pursuant to adjournment the Court met this morning at the City Hall.

present

The honorable John Jay Esq. Chief Justice

The Justices { William Cushing, James Wilson, John Blair Esq., James Iredell Esq. } Associate Justices

Alexander Chisholm Executor of Robert Farquhar dec. of South Carolina vs. The State of Georgia } In Case

The Court proceeded severally to give their opinions on the motion moved for in this Cause on Saturday the 16th of August 1792 and argued by the Attorney General on Tuesday the 6th instant.

On motion of the Attorney General

Ordered, that the consideration of

the form of the Order to be drawn up & settled to be postponed until to morrow.

Proclamation is made and the Court adjourned until to morrow at eleven Oclock.

Tuesday, 19th February 1793

Pursuant to adjournment the Court met this morning at the City Hall

Present

The Honorable John Jay Esqr Chief Justice &

The Court { William Paterson / James Wilson / John Blair Jr / James Iredell Esqr } Associate Justices

Thomas Kingsby & al. vs Thomas Jenkins — } Error from the District of Massachusetts

The Court having heard and considered the arguments of Counsel in this Cause,

Ordered

That the Judgment below of the Circuit Court for the District of Massachusetts in the said Cause be affirmed with cost —

Alexander Mitchelson Executor of Robert Farquhar dec. — vs The State of Georgia — } In case

On Argument Ordered that the Plaintiff in this Cause do file his Declaration on or before the first day of March next.

Ordered, That certified Copies of the said declaration be served on the Governor and Attorney General of the State of Georgia on or before the first day of June next.

Ordered, That unless the said State shall either in due form appear or Show cause to the Contrary in this Court by the first day of the next Term Judgment by default be entered against the said State.

The Court adjourn until to morrow at eleven Clock.

Wednesday 20th February 1793

Pursuant to adjournment the Court met this morning at the City Hall

Present

The Honorable John Jay Esq. Chief Justice

The Honble { William Cushing / James Wilson / John Blair Jr. / James Iredell Esqrs } Assoc. Justices

On motion of Mr. Rawle for the

Jonathan J. Samuel Roberts Esq. Certificate of his having practised as a Counsellor of the Supreme Court of Pennsylvania and of having sustained a good professional and moral Character were produced by Mr. Rawle. The Court order that Mr. Roberts be admitted as a Counsellor of this Court and he is affirmed accordingly.

Edward Telfair Governor of the State of Georgia &c. vs. Samuel Brailsford & others } Bill in Equity

On Argument the Court are of opinion that if the State of Georgia has a right to the land in controversy her remedy is by action at Law. They direct that the injunction continue until the next term and then be dissolved unless the State shall former bring the said action.

William Grayson & others vs. The State of Virginia } Bill in Equity,

On motion by Mr. Rawle to amend the Bill filed in this suit

Leave is given by the Court to amend.

On motion, new process is awarded in this cause

Ebenezer Oswald formerly Administrator of John Hall dec'd } Summons in Case
vs
The State of New York }

Proclamation having been previously made in the Words following "any person "having authority to appear for the State of "New York in the above suit is required to "appear accordingly" Thereupon it was moved by Mr Coe of Counsel for the plaintiff and ordered by the Court that unless the said State appear by the first day of the next term to the above suit or shew cause to the contrary that Judgment be entered by default against the said State.

Proclamation having been made the Court is adjourned to the time and place by Law appointed.

At a Supreme Court of the United States held at Philadelphia (being the Seat of the national Government) on the first Monday in August and the fifth day of the said month Anno Domini 1793.

Present

The Honorable John Jay Esquire Chief Justice

The Honble { James Wilson / John Blair / James Iredell } Esquires Associate Justices

Proclamation is made and the Court opened.

Letters Patent directed to the Honorable William Paterson Esquire bearing date the fourth day of March 1793 appointing him a Judge of the Supreme Court of the United States are now openly read and published in Court.

Alexander Chisholm Executor of Robert Forgehar deceased vs the State of Georgia } In Case

By virtue of an Authority from the State of Georgia directed to Alexander J. Dallas and Jared Ingersoll Esquires the said Counsellors this day admitted to

Jones Cause only Judgment by Default should not be entered against the said Scott in the above Cause

Mr Dallas moved to postpone the argument of the Cause until the next term.

The Court agree to hold the motion under consideration.

The Court adjourned until to morrow at 11 o'Clock.

Tuesday 6th August 1793.

Pursuant to adjournment the Court met this morning at the City-Hall.

Present

The Honorable John Jay Esquire Chief Justice

The Hon'ble { James Wilson, John Blair, James Iredell Esq'rs, William Paterson } Esquires Associate Justices

James Martin Esq' said before the Court a writ of error issuing from the office of the Clerk of this Court and directed to the Judges of the Supreme Judicial Court of the State of Virginia which the Chief Justice ordered to be filed and which Mr Martin contended ought to have been allowed by any Judge of the Court to whom the Writ might have been presented and prayed that it might now be allowed.

The Court having heard Mr Martin on

Supposed by the Motion was unanimously of opinion that circumstanced as this case is the Writ should not be allowed.

Alexander Mitchell Executor of Robert Farquhar dec^d vs The State of Georgia } In Case

By Consent of Parties expressed by their Counsel this Cause is continued to the next term.

William Ingersoll complainant vs The State of Massachusetts } On motion of the Plaintiff's Counsel these Causes are severally continued to the next term.

Eleazer Oswald Administrator of John Hill deceased vs The State of New York }

On motion of the Attorney General for the admission of Ephraim Kirby Esquire, of the State of Connecticut Certificates are produced from Ambrose Adams Chief Justice and Roger Sherman and Stephen Boyd Associate Justices of the Supreme Court of said State in proof of the good moral and professional character of said Ephraim Kirby and of the power of his admission to practice as a Counsellor of said Court

Ordered

That the said Ephraim Kirby Esquire, be admitted to practice as a Counsellor of this Court & it accordingly enters and admitted.

Proclamation is made and the Court adjourns to the first Monday in June next agreeably to Law appointed.

At a Supreme Court of the United States held in the City of Philadelphia, the same being the present Seat of the National Government, on the first Tuesday in February and on the third day of said Month 1794.

Present

The Honorable John Jay Esquire Chief Justice

The Honble { William Cushing & James Wilson Esqrs } Associate Justices

A sufficient number of Justices to constitute a Quorum not being this day convened, the Court is adjourned until to morrow at 11 O'Clock.

Tuesday, 4th: February 1794.

Pursuant to adjournment the Court met this day at the City Hall

Present

The Honorable John Jay Esquire Chief Justice

The Honble { William Cushing, James Wilson & William Paterson Esqrs } Associate Justices

Proclamation is made and the Court opened.

Letters patent bearing date the 28th day of January 1794 from the President of the United States constituting William Bradford of Pennsylvania Attorney General of the United States were now openly read and published in Court.

Letters patent bearing date the 28th day of January 1794 from the President of the United States appointing David Hall Marshall for the Pennsylvania

[illegible] are now [illegible] and published in Court.

On motion of the Attorney General of the United States James Winchester of the State of Maryland Thomas P. Carnes of the State of Georgia and William Edmund of the State of Connecticut are severally admitted to practice, as Counsellors of this Court and sworn to support the Constitution of the United States.

The State of Georgia } The Pleadings in this suit are
vs } this day filed and issue joined
Samuel Bradford } between the parties to the same.

On Motion of Mr Hopkinson of Counsel for the Defendant to amend, Leave is given, with the Consent of the Counsel for the plaintiff, to insert the names of Robert & William Fennell and John Hopton as Co-defendants with Samuel Bradford in the [illegible] and pleadings filed as above mentioned and in the Capias issued in said suit.

The Jury impannelled and summoned in the above suit being called do now appear to wit

1	John Thomy	7	Owen Fouche junior
2	Joseph Anthony	8	Robert Smith
3	[illegible] Hopton	9	Robert Ralston
4	Joseph Wall	10	Reynold Keen
5	[illegible]	11	Hugh Lennox
6	Thomas Loring	12	John Stille

and are [illegible] Sworn to [illegible] the

to give according to evidence.

Mr Dallas of Counsel for the plaintiff having opened the Cause, the Court adjourn for the further hearing of Counsel in the same until to morrow at 11.o Clock.

Wednesday, 5th February 1794.

Pursuant to Adjournment the Court this day met at the City Hall

present

The Honorable John Jay Esquire Chief Justice

The Honble { William Cushing, James Wilson, John Blair & William Paterson Esqrs } Associate Justices

Mr Edmund of Counsel for John Chandler a Citizen of the State of Connecticut this day moved for a Mandamus to the Secretary of War for the purpose of directing him to cause the said John Chandler to be put on the Pension List of the United States, as an invalid pensioner, conformably to the Orders and Adjudications of the Honorable James Iredell and Richard Law Esquires Judges of the Circuit Court of the United States.

The Court informed Mr Edmund that when the trial of the Causes now before the Court should be finished they would hear him in support of his motion.

The State of Georgia
vs
Samuel Brailsford Esq.r } The Court having heard
Mr. Tilghman of Counsel for
the Defendants adjourn for the further trial of the
Cause until to morrow at 11.o Clock. —

Thursday, 6.th February 1794. —

Pursuant to adjournment the Court this day met
at the City Hall
present
The Honorable John Jay Esquire Chief-Justice
The Honble { William Cushing
James Wilson
John Blair &
William Paterson Esq.rs } Associate Justices

On motion of Mr. Tilghman, John E. Wells is
admitted to practice as an Attorney of this Court
and is affirmed to support the Constitution of
the United States.

The State of Georgia
vs
Samuel Brailsford Esq.r } The Counsel proceeded in the
trial of this Cause, but not
having finished the same
the Court adjourns until tomorrow at 11.o Clock. —

Friday 7th January 1791

Pursuant to adjournment the Court this day met at the City Hall

present

The Honorable John Jay Esquire Chief Justice

The Honble { William Cushing, James Wilson, John Blair & William Paterson Esqrs } Associate Justices

The State of Georgia
vs
Samuel Brailsford Defdt } The trial of the present Cause was this day concluded — the Jury retired for a few minutes and on their return to the Bar by their Foreman Reynold Keen say they find a Verdict for the Defendants.

The Court proceeded to hear Mr Edmund on the subject of his motion made on the 5th instant and agreed to hold the same under Advisement.

The Court adjourn until to morrow at 11 o'Clock.

Saturday, 8th February 1794.

Pursuant to adjournment the Court this day met at the City Hall.

Present,

The Honorable John Jay Esquire Chief Justice.

The Hon^ble { William Cushing, James Wilson, John Blair & William Paterson Esq^rs } Associate Justices

Alexander Wyllys Wolcott Appellant
on
The Hon^ble Rodney & Bayard &c. Esq^rs Same thereof Defendants } Appeal from the Circuit Court for the District of Maryland.

The Court, on motion of Mr. Wirt, proceeded to hear the arguments of Counsel on the present appeal.

By an Agreement this Day filed the parties in behalf of the parties to the above suit consent that all proceedings in the manner of the appeal be reversed and that the same shall be argued and decided on the Case and Record upon the face of the Records.

The Court adjourn until Monday at 11 O'Clock

Monday, 10th February 1794.

Pursuant to adjournment the Court this day met at the City Hall.

Present,

The Honorable John Jay Esquire Chief Justice.

The Hon^ble { William Cushing, James Wilson, John Blair and William Paterson Esq^rs } Associate Justices

[illegible] Alexander [illegible]

and

[illegible] Capt. [illegible] Executors } [illegible]

[illegible] and for [illegible]

of the said Appeal adjourn until to morrow at

11.o Clock. —

Tuesday, 11.th September 1705

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Wednesday 12th February 1794

Pursuant to adjournment the Court this day met at the City Hall.

present

The Honorable John Jay Esquire Chief Justice

The Hon.ble { William Cushing, James Wilson, John Blair, & William Paterson Esq.rs } Assistant Justices

Alexander Hyslop Wallace Esq.r Attorney General for the State of South Carolina, & Capt. Isaac Heard Johnstone } The Court continued this day to hear Counsel in the present appeal, and adjourn until tomorrow at 11 o'Clock.

Thursday 13th February 1794

Pursuant to adjournment the Court this day met at the City Hall present

The Honorable John Jay Esquire Chief Justice

The Hon.ble { William Cushing, James Wilson, John Blair, & William Paterson Esq.r } Assistant Justices

The Court proceeded to hear argument of Counsel on the motion of Edmund for a Mandamus to the Secretary of State made on Wednesday the 5th instant.

Attorney of States

the Court grant a rule to shew cause on Friday next why a Mandamus should not issue directed to John Hopkins Esquire Commissioner of Loans for the District of Virginia requiring him to admit Richard Smyth to subscribe to the Loan proposed by the United States in and by an act of the Congress of the United States entitled "An Act supplementary to the Act "making provision for the debt of the United "States" passed the 8th day of May 1792 a certain certificate for the sum of 2a. 45 ff Dollars 6 Cents issued by the Commonwealth of Virginia bearing date prior to the 1st day of January 1790 which Certificate after having been paid into the Treasury of the said Commonwealth was re-issued thereout in pursuance of an Act of the Legislature of the said Commonwealth passed the 26th day of December 1792.

Alexander Chisholm Exor of Robert Farquhar &c. vs The State of Georgia } The Attorney Generals moved the Court that Judgment by default for the Plaintiff in this suit agreeably to the rule heretofore made in the cause.

The Court direct

Tuesday 17th February 1791

Present as aforenamed the Court this day met

at the City Hall

present

The Honorable John Jay Esquire Chief Justice

The Hon^ble { William Cushing, James Wilson, John Blair & William Paterson Esq^rs } Associate Justices

The Court having taken into consideration the motion of Mr Edmund of the 5th instant, and having considered the two Acts of Congress relating to the same, are of opinion that a Mandamus cannot issue to the Secretary of War for the purposes expressed in the said motion.

Alexander Chisholm Exr of Robert Farquhar dec^d
vs
The State of Georgia

Alexander James Dallas Esq^r filed Imparlit

Iredell having this day shewn cause why

Judgment should not be entered against the

State of Georgia in the above suit and the Court

having duly considered the same are unanimously

of opinion and accordingly direct that Judgment

be entered in the said suit in favor of the

Plaintiff and on motion of the Attorney

ascertain the Damages sustained by the said plaintiff by reason of the breach of promise and other defaults of the said Defendant.

The State of Georgia
vs
Samuel Braidford & al.} Bill in Equity

On Motion of Mr. Elphinston it is ordered by the Court that the Bill filed in this suit be dismissed, and that the injunction issued in the same be dissolved with Costs.

The State of Georgia
vs
Samuel Braidford & al.} Amic. Action in Case

On a Motion of Mr. Elphinston, it is ordered by the Court that Judgment for the Defendants be entered in the above suit.

Hezekiah Kingsley & al.
vs
Thomas Jenkins} Error from the District of Massachusetts.

On motion of Mr. Lucas it is ordered by the Court that a special mandate do issue to the Circuit Court for the Hillsborough District in pursuance of the Act of Congress in such Case made and provided commanding the said Court duly to execute and carry into effect a Judgment heretofore obtained by the aforesaid Defendant against the said plaintiffs

Prayer on the Calendar Docket of yesterday.

Edward Tilghman Esq. } The Attorney General proceeded to show cause why a mandamus should not issue against the Defendant in the above suit.

The Court adjourned until tomorrow at 11 o'clock.

Saturday, 15th February 1794.

Pursuant to adjournment the Court this day met at the City Hall.

Present

The Honorable John Jay Esquire Chief Justice

The Clerks { William Cushing, James Wilson, John Blair & William Paterson Esqrs. } Associate Justices

On motion of Mr. Lewis, the Honorable Samuel Dexter of the State of Massachusetts is admitted to practice as a Counsellor of this Court & sworn to support the Constitution of the United States.

United States vs. John Tilghman Esq. } On motion by Mr. Tilghman made on Thursday the 13 instant for a Mandamus to be directed to the Defendant commanding him to do and execute the several matters and things set

that the right claimed by the petitioners in the present case does not appear sufficiently clear to authorize this Court to issue the Writ of Mandamus moved for.

The Court adjourn until Monday next at 11 o'Clock.

Monday, 11th February 1793.

Pursuant to adjournment the Court this day met at the City Hall present

The Honorable John Jay Esquire Chief Justice

The Honble { William Cushing, James Wilson, John Blair, William Paterson Esqrs } Assistant Justices

United States vs Yale Todd } Amicable Action on the Case

The Pleadings and agreement of the Attorney General of the United States and the Attorney for the defendant being read and filed, and the Case argued by the Counsel having taken the same into Consideration are of opinion that Judgment be entered for the plaintiff in the above suit.

The Court adjourn until to morrow at 11 o'Clock.

Tuesday, 18th February 1794

pursuant to adjournment the Court this day met at the City Hall present

The Honble John Jay Esq. Chief Justice

The Honble { William Cushing, James Wilson, John Blair Esq., William Paterson Esq. } Associate Justices

Alexander Wolcott Esq. and Tobias Lear Esq. Marshal & Clerk pro tem. of Supreme Circuit & District Courts

The Court this day published their several opinions in the present appeal which being read & approved it is ordered that the same be registered. It is also further ordered that an exemplification of the same be transmitted to the Circuit Court for the District of Maryland.

Proclamation being made the Court adjourns to the time and place by Law appointed.

Jay C.J.

held at Philadelphia the same being the second Seat of the Residual Government in the first Monday in August and on the fourth day of the said Month Anno Domini 1794.

The Honorable James Wilson
John Blair
James Iredell
Esquires

This day met at the City Hall, but a sufficient number of Justices to constitute a Quorum not appearing, the Court is adjourned until to-morrow at 11 o'Clock.

Tuesday 5th August 1794.

Pursuant to adjournment the Court this morning met at the City Hall

Present

The Honble
James Wilson
John Blair
James Iredell &
William Paterson Esqrs
Associate Justices

Proclamation having made the Court is opened.

Alexander Dallas Esqr
of Robert Farquhar &c.
vs
The State of Georgia
On motion of the Attorney General of Counsel for the Plaintiff the Court do award that the General Jury to be summoned at the next Court do attend when their Duties

judgment by reason of the premises, and the non performance of the premises and assumptions in the declaration of the plaintiff contained, and that three months notice of the holding such inquiry be given to the Governor and Attorney General of the State of Georgia.

On motion of the Attorney General,

Thomas M'Allester, Esq. of the State of Georgia, was admitted to practice as a Counsellor of this Court, and sworn accordingly.

Joseph Hemphill Esq. of Pennsylvania, on motion of the Attorney General, was also admitted to practice as a Counsellor of this Court and affirmed accordingly.

The Grand & Petit Jury, summoned to attend this Court at the present term, being called, and no issues of fact appearing for trial, the Court dismiss them from any further attendance.

Proclamation being made the Court is adjourned to the time and place by Law appointed.

At a Supreme Court of the United States begun and held at Philadelphia in the State of Pennsylvania (being the Seat of the National Government) on Monday the second day of February Anno Domini 1795.

Present

The Handle { William Cushing, James Wilson, John Blair, James Iredell, William Paterson } Associate Justices

Proclamation is made and the Court opened.

The Marshall of the Pennsylvania District returns a Venire to him directed, which is read and filed.

The Court excuse the absence of two of the petit Jurors, viz.t Edward Evans and Robert Bethell.

On motion of the Attorney General J. Marshall and Alexander Campbell Esquires, were admitted Counsellors of this Court, and they were severally sworn as such.

The Jury were sworn till Thursday next at ten o'clock in the forenoon

Alexander Robertson Exor
of Robert Farquhar dec[d] } Motion made by the
v[s] } Attorney General for
The State of Georgia } the plaintiff that
this Cause should continue open.

Eleanor Oswald Administratrix
of John Hill dec[d] } Thursday next was
v[s] } assigned for the trial
The State of Georgia } of this Cause.

Hare } On motion of Mr Tilghman this Cause
v[s] } is continued.
Hylton

The Attorney General requests the opinion of the Court, whether it is necessary to procure the signature of an Attorney to an assignment of errors; of which the Court say they will consider.

The depositions of John Lamb, John Lamb, Robert Hogendus, Robert Hooper, and George Ebbitson, were opened in Court and ordered to be filed.

The Court adjourned till 12 o'clock tomorrow.

Tuesday, 3d February 1795.

Pursuant to Adjournment the Court met this morning, at the City-Hall.

Present

The Honble { James Wilson, John Blair, James Iredell, William Paterson } Esquires, Assistant Justices.—

Proclamation is made, and the Court opened.

The deposition of John McKeever is opened, and ordered to be filed.—

The Court is adjourned till ten o'clock to morrow morning.—

Wednesday, 4th February 1795.

Pursuant to Adjournment, the Court met, this morning, at the City-Hall.

Present

The Honble { William Cushing, James Wilson, John Blair, James Iredell, William Paterson } Esquires Assistant Justices.—

Proclamation is made, and the Court opened.

The Court give notice to the Gentlemen of the Bar, that, hereafter, they will expect to be furnished with a Statement, of the material points of the Case, from the Counsel on each side of a cause.

Penhallow
v.
Doane } this Cause is assigned for Friday next.

Mr. Lewis read the Petition of John Corbly and others, confined, in the Goal of the City of Philadelphia, on Charges of High Treason, praying the Court to fix the time of their trial.

The Attorney General moves for the admission of Mr. William Tilghman, as a Counsellor of this Court, and he is accordingly admitted and sworn.

The Court is adjourned till ten o'Clock to morrow morning.

Thursday, 5th February 1795.

Pursuant to adjournment, the Court met, this morning, at the City Hall.

Present

The Honble { James Wilson, John Blair, James Iredell, William Paterson Esqrs } Associate Judges

Proclamation is made, and the Court opened.

The Jury are called.

William Moore Smith was admitted, and sworn, a Counsellor of this Court.

Eleazer Oswald Administrator of John Holt, deceased, vs. The State of New York } This Cause coming on

1. John Barnes
2. Wilson Hunt
3. Robert Gray
4. Samuel Emory
5. James Barclay
6. John G. Marchmuth
7. Isaiah Shewell
8. Samuel Sharkey
9. John Milbeck

were sworn; and

10. George Astley
11. Adam Mandenhall
12. Israel Thomas

were affirmed as Jurors.

John Dunlap and David Hall were sworn as Witnesses.

It is agreed by the Parties, that the Jury may give their Verdict to morrow.

Ware } On motion of Mr. Campbell, for
vs. } the defendant, to assign Errors; Mr.
Hylton } Alexander, for the plaintiff, declared, that the general Errors will be assigned.

The Court adjourned till eleven O'Clock to morrow morning.

Friday, 6th. February, 1795.

Pursuant to adjournment, the Court met, this morning, at the City Hall.

Present,

The Hon.ble { William Cushing, James Wilson, John Blair, James Iredell, William Paterson, Esq.rs } Associate Judges.

Proclamation is made, and the Court opened.

Accord } The Jury find for the Plain-

five thousand three hundred and fifteen dollars damages and six cents Costs.

The Petition of John Lockery, confined in the goal of this City on a Charge of High Treason, praying the Court to fix the time of his trial, was read by Mr. Moses Levy.

The Court proceeded to hear the argument on the petition of John Corbley & others.

The Court proceeded to hear the Counsel in the Case of Lenhallow vs. Downe.

Adjourned till eleven o'Clock tomorrow morning.

Saturday, 1st. February, 1795.

Pursuant to adjournment, the Court met this morning, at the City-Hall.

Present

The Honble. { William Cushing, James Wilson, John Blair, James Iredell, William Paterson, Esqrs. } Associate Justices

Proclamation is made, and the Court opens.

The Attorney General moved for a Rule to show cause why a mandamus is to be issued

to the Judge of the district of New York to
issue a warrant to apprehend Henry Fauré
a deserter from the Pandora, a corvette
belonging to the Republic of France, should
not issue.

The Petitions of John Gerdby and others,
and John Lockery, being before the Court, and
it being stated by the Attorney of the United
States for the Pennsylvania district, that the
petitioners are charged with Treason, by them
committed, against the United States, in the
counties of Allegheny, Washington, Fayette,
Bedford and Northumberland, within the
district aforesaid; it is moved by Messrs
Levy and Lewis, of counsel with the petition-
ers, that Special Circuit Courts, for the trial
of criminal Causes, in cases punishable with
death, may be directed to be held at such
convenient times and places, within the
several Counties aforesaid, as the Court may
deem most proper.

Adjourned till eleven o'Clock
on Monday Morning next.

Monday 9th February 1795.

The Court met this morning at the City Hall pursuant to adjournment.

present.

The Hon.ble { William Cushing, James Wilson, John Blair, James Iredell, William Paterson, Esq.r } Associate Justices

Proclamation is made, and the Court opened.

The Court proceeded to hear the argument of Counsel in the case of Penhallow vs Doane's Admrs.

Adjourned till eleven O'Clock to morrow morning.

Tuesday 10th February 1795.

Pursuant to adjournment, the Court met this morning at the City Hall

present

The Hon.ble { William Cushing, John Blair, James Iredell, William Paterson Esq.r } Associate Justices

Proclamation is made, and the Court opened

The Court proceeded to hear Counsel in the case of Penhallow vs Doane's Admrs.

Adjourned till ten O'clock to morrow morning.

Wednesday, 11th February 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

present

The Honble { William Cushing, John Blair, James Iredell, William Paterson } Esquires, Associate Justices.

Proclamation is made, and the Court opened.

The Court proceeded to hear the argument of Counsel in the case of Penhallow vs Doane's admrs.

The Court adjourned till eleven O'clock to morrow morning.

Thursday, 12th February, 1795.

Pursuant to adjournment ~~11th Feby 1795~~ met this morning at the City Hall

present,

The Honble { William Cushing, John Blair, James Iredell, William Paterson } Esquires Associate Justices

The Court proceeds to hear the arguments of Counsel in the case of Penhallow vs Dunn's Admrs. .

Adjourned till 11 O'Clock tomorrow morning.

Friday 13th February 1795

Pursuant to adjournment the Court met this morning at the City Hall.

present

The Worshipful { William Cushing, John Blair, James Iredell, William Paterson } Esquires Associate Justices

Proclamation is made, and the Court opened.

The Court proceeded to hear the arguments of Counsel in the case of Penhallow vs Dunn's Admrs. .

The Court is adjourned till eleven O'Clock tomorrow morning.

Saturday 14th February 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

present

The Worshipful { William Cushing, John Blair, James Iredell, } Esquires Associate Justices

The Court proceeded to hear the argument of Counsel in the case of Parkhallow vs Downes Executors.

On motion of Mr Lewis, a Habeas Corpus is ordered to issue to bring up John Hamilton and Thomas Sedgwick, both in the Custody of the Marshall of the Pennsylvania district, returnable on Monday Morning next at 12 o'Clock.

The Court is adjourned till 11 o'Clock on monday morning next.

Monday 16th February 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

present

The Justices { William Cushing, John Blair, James Iredell, William Paterson } Associate Justices

Proclamation is made, and the Court opened.

The Court proceeded to hear the argument of Counsel in the case of Parkhallow vs Downes Executors.

John Hamilton and Thomas Sedgwick to bring up whom a habeas corpus issued on Saturday last, Ordered, that they be brought up to-morrow morning at eleven o'clock.

The Court is adjourned till eleven o'clock to-morrow morning.

Tuesday, 17th: February 1795.

Pursuant to adjournment the Court met, this morning, at the City-hall.

Present

The Honble { James Wilson / John Blair / James Iredell / William Paterson } Esquires Associate Justices

Proclamation is made, and the Court opened.

The Marshall for the Pennsylvania district made return of a habeas corpus to bring up the bodies of John Hamilton and Thomas Sedgwick which was sent and filed.

The Court declared that all evidence on motions for a discharge upon bail must be by way of deposition, and not viva voce.

The Court is adjourned till eleven o'clock to-morrow morning.

Wednesday 4th February 1795

Continued by adjournment, the Court met this morning at the City Hall.

Present

The Honble. James Wilson, John Blair, James Iredell, William Paterson — Esquires Associate Justices

Proclamation is made, and the Court opened.

The Affidavits of Alexander Baird and Thomas Scott, on the habeas corpus brought for John Hamilton and Thomas Sedgwick, were taken in open Court and filed.

The Court proceeded to hear the argument of Counsel, on the motion for a mandamus to be directed to John Lawrence; which being closed they heard the Counsel on the habeas corpus to bring up John Hamilton and Thomas Sedgwick so far as it respects John Hamilton, at the termination of which Mr. Lewis moved, on his behalf, that he might be discharged without bail.

The Court was then adjourned until Friday morning next at eleven o'Clock.

Friday 20. February 1795.

Pursuant to adjournment, the Court met this morning at the City Hall

present

The Honble { James Wilson, John Blair, James Iredell, William Paterson } Esquires Associate Justices.

Proclamation is made, and the Court opened.

The Court order John Hamilton to be discharged on bail himself in four thousand dollars and two sureties in two thousand dollars each.

Messrs. Presly Neville and Thomas Scott became the sureties, and, together with the said John Hamilton, entre into recognizance accordingly to appear at the next special or stated Circuit Court.

Thomas Sedgwick was returned by consent.

The Court is adjourned till eleven o'clock tomorrow morning.

Saturday, 21. February, 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

The Court	Present William Cushing James Wilson John Blair James Iredell William Paterson	Esquires Associate Justices.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in Bingham v. Cabot.

The Court adjourned till eleven o'Clock on Monday Morning next.

Monday, 23. February, 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

The Court	Present William Cushing James Wilson John Blair James Iredell William Paterson	Esquires Associate Justices.

Proclamation is made, and the Court is

The Court [illegible] judgment of Council in Bingham v. Cabot.

The record, Writ, Return, Citation and Assignment of Errors, in Henry Plaintiff in error vs Dexter, and same Plaintiff vs Arnold, were ordered to be filed.

The Court give notice, that, tomorrow, they will give their opinions in Penhallow vs Doane's Admors.

Adjourned till one o'Clock tomorrow afternoon.

Tuesday, 24th: February 1795.

Pursuant to adjournment, the Court met this afternoon at the City Hall.

Present

The Bench { William Cushing, John Blair, James Iredell, William Paterson } Esquires Associate Justices.

Proclamation is made, and the Court is opened.

The Court proceeded to give their opinions in Penhallow vs Doane's Admors when it was finally ordered & decreed

all the plaintiffs in error, except George Wentworth, fourteen thousand three hundred and forty Dollars and sixty eight Cents be recovered by the defendants in error, and the same sum against George Wentworth, and that against the plaintiffs in error the Costs of the Circuit Court be recovered, one half against George Wentworth, and the other half against the other plaintiffs in error; and that in this Court the parties pay their respective Costs.

The Court is adjourned till eleven o'clock tomorrow morning.

Wednesday, 25th February, 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

present

The Lord Mayor, William Bushing, James Wilson, James Iredell, William Paterson, Esquires, Associate Justices.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the

Cabot.

Mr. Lewis moved for an habeas corpus for Thomas Sedgwick and John Corbley, which was opposed by Mr. Rawle Attorney for the district of Pennsylvania.

The Court adjourned till ten Clock to morrow morning.

Thursday, 26th. February 1795

Pursuant to adjournement, the Court met this morning at the City Hall.

present

The Honble. { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Justices.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel on the motion for an habeas corpus to bring up Thomas Sedgwick and John Corbley;

& Ever. Adv. [illegible]

The Counsel proceed to argue the
Argument of Counsel in Bingham vs Cabot
Cabot.

Adjourned till eleven O'Clock tomorrow
morning.

Friday 21st February 1795.

Pursuant to adjournment, the Court
met this morning at the City Hall.

Present:

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Justices.

Proclamation is made, and the Court is
opened.

The Court declared, that, they being
divided in opinion on the motion made
by Mr Lewis, on Wednesday last, for a
habeas corpus to bring up Thomas Sedgwick
and John Corbley, the motion could not
be granted.

The Court then proceeded to hear the
Argument of Counsel in Bingham vs Cabot.

The Court is adjourned till eleven

Saturday, 28th February 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

Present

The Honble { William Bingham, James Wilson, James Iredell, William Patterson } Esquires Associate Justices.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in Bingham vs Cabot.

The Court is adjourned till Monday Morning next at 11 o'Clock.

Monday, 2. March, 1795.

Pursuant to adjournment, the Court met this morning at the City Hall.

Present

The Honble { William Bingham, James Wilson, James Iredell, William Patterson } Esquires Associate Justices.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of

Court on Thursday the Cabot, which being finished they proceeded to give their opinions thereon: when it was finally ordered, that the judgment of the Circuit Court for the district of Massachusetts be reversed; and the Court being divided on the Question whether a procedendo de novo should issue, it is also ordered, that the writ do not issue.

Olney vs Deater } It is agreed to continue
Sears vs Arnold } these Causes.

Adjourned till eleven Clock to-morrow morning.

Tuesday, 3. March, 1795.

Pursuant to adjournment the Court met this morning at the City Hall

present

The Honble. William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Justices

Proclamation is made, and the Court is

The Marshall to pay Lawrence cost refused after argument.

Jansen &c. vs Talbot &c. } Rule by consent, that &c. (see argument) and injunction awarded.

Penhallow vs Doane's admrs } special Mandate awarded on motion of all Counsel.

Adjourned to the time and place by Law appointed.

At Philadelphia, in the State of Pennsylvania, being the present Seat of the national Government, on

Monday, 3. of August 1795.

This being the day, by Law appointed, for holding a Supreme Court, and none of the Judges, but the Honorable James Iredell, Esquire appearing for that purpose, the Court is by him adjourned till one O'Clock to morrow afternoon.

Tuesday Afternoon
4th. of August 1795.

None of the Judges appearing to day agreeably to the adjournment, but the Honorable James Iredell, Esquire, the Court is by him adjourned till eleven O'Clock to morrow morning.

Wednesday Morning
5th. August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit

The Honble. { William Cushing, James Wilson, James Iredell } Esquires, Associate Judges

Proclamation is made and the Court is opened.

On motion of Edward Tilghman, Esquire, the Honorable Jacob Read, Esquire, was admitted a Counsellor of this Court, and he was immediately sworn according to Law.

On motion of Mr. Dupenceau, Joseph Clay jun. Esq. was admitted a Counsellor of this Court, and he was immediately sworn according to Law.

On motion of Mr. Read, Henry De Saussure Esq. was admitted a Counsellor of this Court, and he was immediately sworn according to Law.

The Marshall of the Pennsylvania District returns a Venire facias which is filed.

The depositions of Anthony M'Leod, John Habersham and Gideon Davis Sandiston were opened in Court and filed.

Grayson et al. vs The State of Virginia } continued

Ware vs Hylton et al. continued by Consent.

Olney Pfaff in error vs Welcome Arnold continued by Consent.

Olney Pfaff in error vs Edward Dexter continued by Consent.

No issue of fact appearing for trial, the Jury are called and dismissed.

Adjourned till 11 O'clock to morrow morning.

Thursday Morning
6th of August 1795.

Pursuant to adjournment, the Court met this morning at the Old Hall, viz.t

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires, Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeds to hear the argument of Counsel in the Case of Talbot Miff in error vs Jacob Jansen.

Adjourned till 11 O'Clock to morrow morning.

Friday Morning
7th August 1795.

Pursuant to adjournment, the Court met this morning at the Old Hall, viz.t

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esqrs. Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Case of Talbot Miff in error vs Jansen.

Adjourned till eleven O'Clock to morrow morning.

Saturday Morning
8th August 1795.

Pursuant to adjournment the Court met this morning at the City-Hall, viz.t

The hon.ble { William Cushing / James Wilson / James Iredell / William Paterson } Esq.rs Assistant Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in Talbot Bliss in error vs Jarvis.

Adjourned till 11 Clock on Monday Morning next.

Monday Morning
10th August 1795.

Pursuant to adjournment the Court met this morning at the City-Hall, viz.t

The Hon.ble { William Cushing / James Wilson / James Iredell / William Paterson } Esq.rs Assistants Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Case of Talbot Bliss in error vs Jarvis.

Adjourned till ten Clock tomorrow morning.

Tuesday Morning
11th August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Hon.ble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires, Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in Talbot Bliss in error vs. Jansen. —

Adjourned till 10 o'Clock to morrow morning.

Wednesday Morning
12th August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Hon.ble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires, Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Talbot Bliss in error vs Jansen.

Letters patent dated on the first of July last, appointing the honorable John Rutledge, Esquire Chief Justice of the Supreme Court of the United States, during his good behaviour and until the

and of the next session of the Senate of the United States, were read and published in open Court; and thereupon he took the oath of office and the oath to support the Constitution of the United States; after which he took his seat on the bench.

Adjourned till 10 o'Clock tomorrow morning.

Thursday Morning

13th August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The honorable John Rutledge Esq. Chief Justice

The honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in Talbot Huff in error vs Jameson.

Adjourned till ten o'Clock tomorrow morning.

Friday Morning
14th August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.t,

The Honorable John Rutledge Esq.r Chief Justice,

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.,

Proclamation is made, and the Court is opened.,

The Court proceeded to hear the argument of Counsel in the Case of Talbot Huff in error vs Jaunson.,

Adjourned till ten o'Clock tomorrow morning.,

Saturday Morning
15th August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.t

The honorable John Rutledge Esq.r Chief Justice,

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esq.rs Associate Judges.

Proclamation is made and the Court is opened.,

Mr. Lewis, one of the Counsel in the Case of Talbot Biff in error vs Jansen, being indisposed, the Court is adjourned till ten o'Clock on Monday Morning next.

Monday Morning 17th. August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.t

The Honorable John Rutledge Esq.r Chief Justice

The Honble { William Cushing / James Wilson / James Iredell / William Paterson } Esq.rs Associate Judges.

Proclamation is made and the Court is opened.

Adjourned till to morrow morning at 10. Clock.

Tuesday Morning 18th. August 1795.

Pursuant to adjournment, the Court met this morning at the City-Hall, viz.t

The Honble John Rutledge Esq.r Chief Justice

The Honble { William Cushing / James Wilson / James Iredell / William Paterson } Esq.rs Associate Judges.

Proclamation is made and the Court is

The Court proceeded to hear the argument of Counsel in the Case of Talbot Stiff in error vs Janson.

Adjourned till 10 O'Clock to morrow morning.

Wednesday Morning 19th August 1795

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Honble John Rutledge Esqr Chief Justice

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Case of Talbot Stiff in error vs Janson.

Adjourned till 10 O'Clock tomorrow morning.

Thursday Morning 20th August 1795

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Honble John Rutledge Esqr Chief Justice

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made and the Court is opened.

Cotton vs Wallace } On motion of Mr. Read of Counsel for the defendant in error, Rule to return the record by the first day of January next.

Hills et al. vs Ross } On motion of Mr. Read of Counsel for the defendant in error, Rule to return the record by the first day of January next.

On motion of Mr. Ingersoll, Jonathan Williams Bondy, Esquire, was admitted a Counsellor of this Court, and he was immediately affirmed according to Law.

Adjourned till tomorrow morning at ten o'clock.

Friday Morning 21st August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Honble John Rutledge, Esq. Chief Justice

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esqrs. Associate Judges.

Proclamation is made and the Court is opened.

Mr. Dispeneau moved for a rule to show cause why a prohibition should not go to Richard Peters Esq. Judge of the District Court of Pennsylvania to prohibit him from proceeding on a libel filed

Lessee J. Davis and the Corvette or Vessel of War called the Sapfeus.

Adjourned till tomorrow morning at ten o'Clock.

Saturday Morning 22d August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall viz!

The Honble John Rutledge Esqr Chief Justice

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esqrs Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to give their opinions in the Case of Talbot Huff in error vs Janson, when it was finally ordered, That the decree of the Circuit Court of South Carolina district pronounced on the fifth day of November in the year of our Lord one thousand seven hundred and ninety four affirming the decree of the district Court of the same district pronounced on the fifth day of August in the year of our Lord one thousand seven hundred and ninety four be in all its parts established and affirmed. And it is further considered, ordered, adjudged and decreed, that the said William Talbot the Plaintiff in error do pay to the said Jost Janson

The defendant in error, in addition to the sum of [illegible]
thousand seven hundred and fifty five Dollars fifty cents
cents for Demurrage and eighty five Dollars
for Costs, in the decree of the said Circuit Court mentioned,
Demurrage for the detention and delay of the said Brigantine
De Witte Christina Magdalena at the rate of nine Dollars
and thirty three Cents lawful Money of the United States per
diem to be computed from the fifth day of November last
past till the sixth day of June last, the day of the actual
sale of the said Brigantine under the interlocutory order of
this Court of the third day of March last past to wit,
for two hundred and thirteen days a sum of nineteen
hundred and eighty seven Dollars and twenty nine Cents,
and also interest at the rate of seven per centum per
annum for two hundred and seventy days on the sum of
fifty one thousand eight hundred and forty five Dollars
being the amount of the sales of the Cargo of the said
Brigantine heretofore sold by order and permission of the
said district Court and making a sum of two thousand
eight hundred and eighty three Dollars and forty two Cents
and also a like sum of seven per Centum per annum
on the amount sales of the said Brigantine De Witte
Christina Magdalena under the order of this Court, that
is to say interest for seventy seven days on the sum of
eighteen hundred and twenty Dollars from the said tenth
day of June last making the sum of twenty six Dollars
and eighty seven Cents the whole of which interest is to be
accounted to this day and making together the sum of
two thousand nine hundred and ten Dollars twenty nine
Cents lawful Money of the United States, and which
said interest and demurrage makes together the sum of

fifty eight Cents in addition to and exclusive of the damages interest and Costs adjudged in the said Circuit Court of the United States for South Carolina District Nine ninety one dollars and ninety three Cents for his Costs and Charges: And that the said Jacob Jansen have execution of this judgment and decree by special mandate to the said Circuit Court and process agreeable to the Act of the Congress of the United States in that case made and provided. And the said William Talbot in mercy and so forth.

Wallace vs. The Brig Caesar et al. } On motion of Mr. Elsey for the defendant Rule to return the record by the first day of January next.

Adjourned till seven O'Clock this evening.

Saturday Evening 22nd August 1795.

Pursuant to adjournment the Court met at the City Hall viz:

The Worshl. John Rutledge Esquire Chief Justice

The Worshl. { William Hasking / James Wilson / James Iredell / William Paterson } Esquires Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel on the motion for a prohibition to be directed to Richard Elves Esquire.

Adjourned till Monday Morning next at nine O'Clock.

Monday Morning

24th August 1795.

Pursuant to adjournment, the Court met this morning at the City Hall; viz.

The Honorable John Rutledge Esqr. Chief Justice

The honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made and the Court is opened.

Ordered,

That the Prohibition to be directed to Richard Peters, Esquire, Judge of the district Court of Pennsylvania, do issue.

Adjourned to the time and place by Law appointed.

At Philadelphia, in the State of Pennsylvania, being the present seat of the national Government, on Monday the first day of February 1796.

His being the day, by law appointed, for holding a Supreme Court, and none of the Judges but the honorable James Wilson Esquire, appearing for that purpose; the Court is by him adjourned till eleven O'clock tomorrow morning.

Tuesday, February 2nd. 1796.

None of the Judges but the Honorable James Wilson Esqr. and the honorable William Paterson Esqr. appearing pursuant to the adjournment of Yesterday, the Court is by them adjourned till tomorrow morning at 11 O'clock.

Wednesday Morning, February 3. 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit

The honble. { William Cushing, James Wilson, James Iredell, William Paterson } Esquires, Associate Judges

Proclamation is made and the Court is opened

Journal of the United States, Charles Lee Esquire was qualified as Counsellor of this Court.

On motion of Mr. Lewis, Samuel Sitgreaves Esquire of Pennsylvania, was admitted and sworn as Counsellor of this Court.

The Attorney General of the United States proposed for the consideration of the Court, that the Clerk of this Court should purchase for the use of this Court the Laws of the several States.

Adjourned till eleven o'Clock tomorrow morning.

Thursday Morning
4th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit.

The Hon'ble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires, Associate Judges.

Proclamation is made, and the Court is opened.

Letters Patent dated on the twenty seventh day of January one thousand seven hundred and ninety six appointing the Honorable Samuel Chase, Esquire of Maryland, one of the Associate Judges of this Court during his good Behaviour, were read and published in open Court; and thereupon he took

the

the oath of office, and the sixth to support the Constitution of the United States; after which he took his seat on the Bench.

On motion of Edward Tilghman, Esquire

Robert T. Dunkin, of Pennsylvania, was admitted and sworn a Counsellor of this Court.

The Court then proceeded to hear the argument of Counsel in the case of Thomas MacDonough Huff in error vs Citizen Dannery and the Ship Mary Ford.

Adjourned till 11 o'Clock to morrow morning.

Friday Morning
5th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit,

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Thomas MacDonough Huff in error vs Citizen Dannery and the Ship Mary Ford.

The case of Benjamin Woodin Huff in error vs the Mermaid et al. is assigned for argument for tomorrow.

Saturday Morning
6th February 1796.

Pursuant to adjournment the Court met this morning at the City Hall, to wit

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made and the Court is opened.

On motion of Mr Ingersoll

Robert Lenty Esquire was admitted a Counsellor of this Court and he was accordingly sworn.

The Court proceeded to hear the Argument of Counsel in the Case of Ware Admor of James Wells in error vs Hylton & al.

Adjourned till eleven o'clock on Monday morning next.

Monday Morning
8th February 1796.

Pursuant to adjournment the Court met this morning at the City Hall to wit.

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made and the Court is opened.

the case of Ware Admr of Jones vs Hylton & al:

Adjourned till 11 o'Clock tomorrow morning.

Tuesday Morning
9th February 1796

Pursuant to adjournment; the Court met this morning at the City Hall, to wit,

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Ware Admr of Jones vs Hylton et al.

Adjourned till eleven o'Clock to morrow Morning.

10th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit;

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Justices.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Case of Ware Admr. of Jones vs Hylton et al.

Adjourned till eleven O'Clock to morrow morning.

Thursday Morning
11th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit,

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Justices.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in Ware Admr of Jones vs Hylton et al.

Adjourned till 11 O'Clock tomorrow morning.

Friday Morning
12th: February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit.

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires, Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Ware Admor of Jones vs Hylton et al.

Adjourned till 11 O'Clock to morrow morning.

Saturday Morning
13th: February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit,

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made and the Court is opened.

On motion of Mr. Read,

John Julius Pringle Esq: of South Carolina was admitted and sworn a Counsellor of this Court.

On account of the illness of Judge Cushing the Court declined to hear any Causes and therefore adjourned till Monday Morning next at eleven o'clock.

Monday Morning
15th February 1796.

Pursuant to adjournment the Court met this morning at the City Hall, to wit,

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made and the Court is opened.

On account of the continuation of Judge Cushing's illness and of the indisposition of Judge Paterson, the Court declined to hear any Cause, and therefore

Adjourned till to morrow morning at 11 o'Clock.

Tuesday Morning
16th February 1796.

Pursuant to adjournment the Court met this morning at the City Hall, to wit,

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

On account of the continuation of the indisposition of Judge Cushing and Judge Paterson, the Court declined the hearing of any Cause, and therefore

Adjourned till eleven o'Clock to morrow Morning.

Wednesday Morning
17th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

Mr. Read moved, that the Court would postpone the case of Benjamin Moodie, Plff in error vs The Ship Mermaid & al. to be argued on Monday next. But his Motion was not granted, and the Court proceeded accordingly to the hearing of the argument thereof.

Ordered, unanimously by the Court, that the decree of the Circuit Court of the District of Massachusetts in the case of Thomas M.c Donogh, Plff in error, vs Citizen Dunmore and the Ship Mary Ford be affirmed with Costs.

Adjourned till tomorrow morning at 10.o Clock.

Thursday Morning
18th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Benjamin Moodie Plff in

error vs. The Ship Mermaid et al.

On motion of Mr. Ingersoll, a special mandate is awarded in the case of Thomas Mac Donagh Plff in error vs. Citizen Dannery and the Ship Mary Ford.

Adjourned till tomorrow Morning at 10 o'Clock.

Friday Morning
19th. February 1796.

Pursuant to adjournment, the Court met this Morning at the City Hall, Viz.

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Benjamin Hoodie Plff in error vs. The Ship Mermaid et al.

Adjourned till eleven o'Clock to morrow Morning.

Saturday Morning
20th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, viz:

The Hon.ble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Benjamin Moodie Plff in error vs The Ship Mermaid et al.

The Case of Wills, May and Woodbridge vs Walter Rose is appointed for argument on Monday Morning next.

Adjourned till Monday Morning next at eleven o'Clock.

Monday Morning
22nd February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, viz:

{ James Wilson, James Iredell, William Paterson, Samuel Chase }

Proclamation is made, and the Court is opened.

On motion of the Attorney General of the United States, Alexander Hamilton Esqr. of New York was admitted and sworn as Counsellor of this Court.

Adjourned till to morrow Morning at eleven o'Clock.

Tuesday Morning
23d February 1796.

Pursuant to adjournment the Court met this morning at the City Hall, viz:

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Hylton, Plff in error, vs The United States.

Adjourned till to morrow morning at eleven o'Clock.

Wednesday Morning
24th February 1796.

Pursuant to adjournment the Court met this morning at the City Hall, viz:

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Hylton Plff in Error, vs The United States.

Adjourned till tomorrow morning at eleven o'Clock.

Thursday Morning
25th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Hon'ble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Case of Hylton, Plff in error, vs The United States.

Adjourned till tomorrow morning at eleven o'clock.

Friday Morning
26th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Hon'ble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Hilton, Hay, and Woodbridge vs Walter Rose, and, after making some progress therein, they proceeded to hear the argument of Counsel in the Case of John Wallace Plff in error vs The Brig Eenor and Cargoe and David Vernoche.

Saturday Morning

February 27th 1796.

Pursuant to adjournment; the Court met this morning at the City Hall, viz:

The Honble { James Wilson, William Paterson, } Esquires { James Iredell, Samuel Chase, } Esquires } Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Cases of John Wallace, Plaintiff in error, vs The Brig Cæsar and Cargo and David Cranache — and Benjamin Moodie, Plff in error, vs The Ship Favorite et al. which were agreed by Counsel to be argued together, as depending upon similar principles for their determination.

Ordered, that the Clerk of this Court request the Secretary of State to grant for the Use of this Court a Set of the Journals of the Congress of the United States up to the time of the commencement of the new Government; or, if that cannot be done to permit them to be brought up to Court from time to time during the Session thereof, the Clerk returning them at the end of every Session.

Adjourned till Monday Morning next at Eleven o'Clock.

Monday Morning
29th February 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit,

The Worthy { James Wilson, Samuel Sneed, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

Ordered, that the Judgment of the Circuit Court of South Carolina District, in the Case of Benjamin Moodie Esquire Vice Consul of his Brittanic Majesty, Plff in error vs The Brig Favorite and her Cargo and Alexander Bolchs and others, Be affirmed with Costs; and that the said defendants in error have execution thereof by special Mandate to be directed to the said Circuit Court.

Ordered, That the Judgment of the Circuit Court of Georgia District, in the case of John Wallace Esqr: Vice Consul of his Brittanic Majesty vs The Brig Cassus and her Cargo and David Amacks and others, be affirmed with Costs: and that the said Defendants in error have special Mandate for execution thereof.

On motion of Mr Dallas, Rule on the Marshall of the District of South Carolina to make return of the process issued in the case of John Brown Cutting Administrator of Anne Paul Emanuel Sigismund de Montmorency Luxembourg vs The State of South Carolina within the first four days of the next

The Court then proceeded to hear the argument of Counsel in the case of Claude Didiot et al. Plff in error vs Jonathan Arnold.

Adjourned till tomorrow morning at eleven o'clock.

Tuesday Morning March 1st 1796

Pursuant to adjournment the Court met this morning at the City Hall, viz:

The Honble { James Wilson, Jame Iredell, William Paterson, Samuel Chase } Esquires Associate Justices

Proclamation is made and the Court is opened.

The Court proceeded to give their opinions in the case of Benjamin Moodie, Plff in error vs The Ship Mermaid et al: Where it was finally Ordered,

That the decree of the Circuit Court of South Carolina District in this Cause be affirmed with Costs; and that the defendants in error have for Execution thereof a special Mandate.

The Court proceeded to hear the argument of Counsel in the case of Claude Didiot & al. Plaintiffs in error vs Jonathan Arnold.

Adjourned till tomorrow morning at eleven o'clock.

Wednesday Morning
2. March 1796.

Pursuant to adjournment, the Court met this morning at the City Hall; to wit.

The Court { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made, and the Court opened.

By consent of parties,

Ordered,

That the Judgment of the Circuit Court for the District of Georgia, in the case of the King Executor and Comp. and John B. Cotton Plaff's in error, against John Wallace Esquire, Vice Consul of his Britannic Majesty, be affirmed with Costs, and that the Quotidian Exhibition and what Damages shall be recovered? do lie over for determination until the next Term of this Court.

The Court proceeded to hear the argument of Counsel in the case of Jeremiah Olney, Plff in error vs Welcome Arnold.

The Court appointed the case of Jorge, Plff in error vs John Michel and the Ship Dan Orizaberen and Comp. for argument for tomorrow, if the case of Dalziel et al. Plaffs in error vs Arnold cannot come on, on account of Judge Chase continuing to be ill.

Adjourned till tomorrow morning at ten o'clock.

Thursday Morning
3: March 1796.

Pursuant to adjournment the Court met this Morning at the City Hall to wit

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the cases of Geyer Pltff in error vrs John Michel and the Ship Den Onyakeren; and Benjamin Mandic Pltff in error vrs The Ship Betty Cathcart and her Cargo and Isaac Vidal et al. which were agreed by Counsel to be argued together as depending upon similar principles for their determination.

Adjourned till tomorrow morning at 11 o'Clock.

Friday Morning
4th: March 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit,

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the cases of Geyer Pltff in error vrs John Michel and the Ship Den Onyakeren and Benjamin Mandic Pltff in error vrs The Ship Betty Cathcart and her Cargo and

Adjourned till tomorrow morning at 11 o'Clock.

Saturday Morning
March 5th 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, viz.

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Cases of Speyer Muff in error vs John Michel and the Ship Ben Ingraham; and Benjamin Moodie Muff in error vs The Ship Betty Eathcart and her Cargo and Jean Vidal et al.

Adjourned till Monday Morning next at eleven o'Clock.

Monday Morning
7th March 1796.

Pursuant to adjournment, the Court met this morning at the City Hall, to wit

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made and the Court is opened.

The Court proceeds to give their Opinion
in the Case of Elias Lyndale Brown Admor of William Lobey
the surviving partner of Barret and Jones Subjects of the
King of Great Britain, against Daniel Laurence Hylton and
Company and Francis Eppes Citizens of the State of
Virginia, when it was finally ordered that Judgment be
therein entered in the words following:

Whereupon all and singular the premises being seen
by the Court here and fully understood, and mature delibe-
ration had thereon, because it appears to the Court now
here that in the record and proceedings aforesaid and also
in the condition of the Judgment aforesaid upon the
demurrer to the rejoinder of the defendants in error to
the replication to the second plea, it is manifestly error;
it is considered that the said Judgment for those errors
and others in the record and proceedings aforesaid be reversed
annulled and altogether held for nought And it is further
considered by the Court here, that the plaintiff in error
recover against the defendants two thousand nine hundred
and seventy six pounds eleven shillings and six pence
good British Money commonly called Sterling Money
his debt aforesaid and his Costs by him about his suit
in this behalf expended and the said defendants in
mercy &c But this Judgment is to be discharged by the
payment of the sum of five hundred and ninety nine
dollars and interest thereon to be computed after the rate
of five per Cent per Annum from the seventh day of
July one thousand seven hundred and eighty two till
payment besides the Costs and by the payment of such
damages as shall be awarded to the plaintiff in error
on a writ of Enquiry to be sued by the Circuit Court of
Virginia to ascertain the sum which due to the plaintiff

[illegible] Dollars which were found to be due to the plaintiff
arose upon the Issue in the said Circuit Court of
the same joined upon the defendants plea of payment at
a time when the Judgment of the said Circuit Court on
the said demurrer was unreversed and in full force
said ways; and for the execution of this Judgment
of the Court the cause aforesaid is remanded to the
said Circuit Court of Virginia.

Mr. Ingersoll moved for a prohibition on the libel
and suit instituted by Thomas Smith in the district
Court of the District of Virginia against Alexander
Macomby and the Ship Charles Carter upon a
Mortgage of the said Ship.

Adjourned till tomorrow morning at 11 o'Clock.

Tuesday Morning
8th March 1796.

Pursuant to adjournment the Court met this
morning at the City Hall, to wit;

The Honble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

Letters patent, dated on the fourth day of
March in the Year of our Lord One thousand seven

of the United States the twentieth, appointing the honorable Oliver Ellsworth, Esquire, of Connecticut Chief Justice of this Court during his good Behaviour, were read and published in open Court; and thereupon he took the oath of office and the oath to support the Constitution of the United States: after which he took his Seat upon the Bench.

The Court then proceeded to give their opinions in the case of D. L. Hylton, Plff in error vs The United States, whereupon it was ordered, that the Judgment of the Circuit Court of Virginia district in the said Cause should be affirmed.

The Court then proceeded to hear the argument of Counsel in the case of Claude Talcot et al. Plff in error vs Jonathan Arnold.

Adjourned till tomorrow morning at 10. o'Clock.

Wednesday Morning
9th March 1796.

Pursuant to adjournment the Court met this morning at the City Hall, to wit,

The Honble { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Claude Deleol et al Plffs in error vs Jonathan Arnold.

Adjourned till tomorrow morning at eleven o'Clock.

Thursday Morning
10th March 1796.

Pursuant to adjournment the Court met this morning at the City Hall, to wit,

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

Ordered, that the Case of Claude Deleol et al Plffs in error, vs Jonathan Arnold lie over till the next term for argument upon the Question — How far are the owners responsible in damages?

The Court proceeded to hear the Argument of Counsel in the Cases of Geyer, Pltff in error vs John Michel and the Ship Den Ongebeen; and Benjamin Moodie, pltff in error vs The Ship Betty Cathcart and her Cargo and Jean Vidal et al. —

Adjourned till to morrow morning at ten o'Clock. —

Friday Morning 11th March 1796. —

Pursuant to adjournment, the Court met this morning at the City Hall, to wit, —

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges. —

Proclamation is made, and the Court is opened.

The Court proceeded to hear the Argument of Counsel in the cases of Geyer, pltff in error, vs John Michel and the Ship Den Ongebeen; and Benjamin Moodie, pltff in error, vs The Ship Betty Cathcart and Cargo and Jean Vidal et al.

Adjourned till tomorrow morning at ten o'Clock. —

Saturday Morning
12th March 1796.

Pursuant to adjournment the Court met this morning at the City Hall, to wit,

The Worlds { William Cushing / James Wilson / James Iredell / William Paterson } Esquires associate Judges.

Proclamation is made, and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Cause of Geiger, pltff in error, vs John Michel and the Ship Den Ongekeren; and Benjamin Moodie, pltff in error, vs The Ship Betty Eathcart and Bingo and Jean Vidal et al.

The Court proceeded to hear the argument of Counsel, on the motion of Mr Ingersoll for a prohibition on the libel and suit instituted by Thomas Smith in the District Court of the district of Virginia against Alexander Macauley and the Ship Charles Carter upon a Mortgage of the said Ship.

Adjourned till Monday Morning next at ten o'Clock.

Monday Morning
14th March 1796.

Pursuant to adjournment the Court met this morning in the Common Council Room of the Corporation of Philadelphia, to wit

The honble Oliver Ellsworth Esq: Chief Justice

The Honble { William Cushing, James Wilson, James Iredell, William Paterson } Esquires Associate Judges.

Proclamation is made, and the Court is opened.

Ordered, that the decree of the Circuit Court of South Carolina district in the case of John Geyet, pltff in error vs John Michel and the Ship Den Ongekenen and Cargo be affirmed with Costs, but without damages.

Ordered, that the decree of the Circuit Court of South Carolina District in the case of Benjamin Moodie, pltff in error, vs The Ship Betty Cathcart and Cargo and Laurent Vidal et al. be affirmed with costs but without damages.

Ordered, that the decree of the Circuit Court of South Carolina District in the case of Benjamin Moodie, Esq: pltff in error vs The Ship Hope and Cargo and John Gaillard et al. be affirmed with costs and that the defendants in error have a special mandate for execution.

The Court then proceeded to hear the argument of Counsel on the motion of Mr. Ingersoll for a prohibition on the libel and suit instituted by Thomas Smith in the district Court of Virginia District against Alexander Macaulay, and the Ship Charles Carter upon a Mortgage of the said Ship; when it was

Ordered,

That the prohibition issue.

Ordered,

That the motion of Mr. Lewis, for a Sistingas to compel the appearance of the State of Virginia to the bill filed by William Grayson and others, lie over till the next term.

Ordered,

That the cases of Jeremiah Olney Hill in error vs Watson Arnold, and Jeremiah Olney Hill in error vs Edward Dowlet lie over till the next term.

Ordered, on motion of Mr. Pringle and by consent of parties that the writ of Error in the Case of Don Diego Murphy, Consul of his Catholic Majesty against the Ship Jacob Familia and Cargo and John Gaillard et al. be discontinued, and that no other writ of Error be ever taken out therein.

Ordered, that all the unfinished business

of this Court be continued until the next
term ?.

Adjourned till the time and to the
place by Law appointed. ——

At the City Hall in the City of Philadelphia

being the first Court of the Fifteenth Term annual of the United States on Monday the third day of August in the Year of our Lord one thousand seven Hundred and eighty eight and of the Independence of the United States the twelfth year.

Present

The Honorable Thomas McKean Esquire Chief Justice

The Honorable { William Lewis, James Wilson, James Bell, William Atlee, & Jasper Yeates } Esquires Associate Justices

Proclamation is made and the Court is opened

The Marshal of Pennsylvania District makes return of a Venire for a special Jury which is filed and the Jurors being called, John Dunlap, Franklin Nicholas Richard Smith, George Nicholson, Matthias Slough, Nicholas Wilcox, Benjamin Thomas, Thomas McFarlane, John Lindsay, John Neal, John Field, Joseph Thomas, George Whitaker, Thomas Wood, Francis Gurney, Daniel Clymer, John Keagle, Emanuel Eckhart, Thomas Willcocks, John Hubley, John Stringham, James Lance, Isaac Covington, Joseph Cox, Peter Right, Peter Kuhn, Joshua Brown, Thomas Fairlie, William Montgomery, George Ashmead, Daniel Clymer, William Mark, Lewis Wilcox, Robert Wood, Edward Shippen, Alexander George Thompson, Samuel Meredith, Jonathan Jones, John Compton, William Peck, William Piper, George Newman, Samuel Rutter, Jonathan Mason, Thomas Moore, Benjamin W. Morris, John Duffield and David A Grayson were called and James Parsons was excused from further attendance on account of the ill state of his health.

The service of the Sheriff of Mifflin County, Nathaniel Boyle was admitted and sworn a Counsellor of this Court.

The Jury were called and viewed by them at Court for Inquest.

The Jury are excused from further attendance till Monday morning next at 9 o'Clock

Adjourned till 9 o'Clock morning at nine o'Clock.

1st August 1716

Warrant to enfranchise the Lord and his Heirs at the City Hall &c and

The Freemen Elect & Sworn & Engross'd Burgesses

The Freemen { William Hawkins, James Wright, James Sabbatt, William Peters, Samuel Clark } Engross'd Burgesses

Proclamation is made and the Court is open'd

The Court proceeded to hear the Complaint of James and Richard Sutton as John Wallace and Company made some Progress in their Work pursuant to the Agreement of the 1st Inst. in the case of the City and Bridge and the Right Honble against Wallace Esqr

Adjourned till 10 of the Clock on Monday next

Wednesday Morning
3d August 1796

Pursuant to adjournment the Court met this morning at the City Hall, to wit

The Honorable Oliver Ellsworth Esquire Chief Justice

The Honorable { William Bingham, James Wilson, James Iredell, William Paterson and Samuel Chase } Esquires Assistant Justices

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of the Ship Elizabeth and Cargo and after they had withdrawn the Court

Adjourned till to morrow morning at nine o'clock

Thursday Morning
4th August 1796

Pursuant to adjournment the Court met this morning at the City Hall, to wit

The Honorable Oliver Ellsworth Esquire Chief Justice

The Honble { William Bingham, James Wilson, James Iredell, William Paterson & Samuel Chase } Esquires Assistant Justices

Proclamation is made and the Court is opened.

On motion of Edward Tilghman Esquire Richard Peters and Andrew Kirkpatrick Esquires three of the Attorneys of this Court were admitted and sworn Counsellors of this Court

The Court proceeded to hear the argument of Counsel in the Case of the King Plaintiff and Edward and William Wood Defendants against Matthew Boyle.

Adjourned till to morrow morning at nine o'Clock

Friday Morning

5th August 1796

Pursuant to adjournment the Court met this Morning at the State House, to wit.

The Honourable Alexander Ellicott Esquire, Chief Justice

The Justices — William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase — Esquires Associate Justices

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the Case of Charles Dilkes and against Jonathan Maxwell.

Adjourned till to morrow morning at nine o'Clock

Saturday morning
6th August 1796.

Court according to adjournment the Court met this morning at the City Hall, & said.

Present The Honorable Alexander Moncrieff Esquire, Chief Justice

The Worthy { William Cooke, James Colgan, James Nesbitt, William Moore, & Samuel Allen. } Esquires Assistant Justices

Proclamation is made and the Court is opened.

The Jury who were required to meet on this day, are now impannelled.

The Petition of David Hunter praying the Court to continue the case of Hunter against Thirkfield the record and the Answer of the Petitioner is read.

On motion of Mr. Dallas for the Plaintiff a rule is granted on the Marshal of this Carolina District & Willm. Hill Clerk of Chancery in the case of Cutting against the State of South Carolina.

The Court proceeded to hear the arguments of Counsel on the Motion of Wray & Arnold, and after making some progress therein, they Recorded to hear the argument of Counsel in the case of Benjamin Moodie against Matthew Wade Master and Cargo and Jean Bastille &c &c.

Adjourned till Monday morning next at nine o'Clock.

Monday Morning
8th August 1796

Sergeant to inform the Court that the crier
at the City Hall, to all

The Honorable Oliver Ellsworth Esquire Chief Justice

The Honble. { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Justices

Proclamation is made and Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Benjamin Nicolls against the Ship Ann and Cargo and from thence adjourned to the Court room where being assembled they proceeded to hear the argument of Counsel in the case of Benjamin Nicolls vs the Ship Alfred and Cargo and Abraham Desprez et al which being terminated they proceeded to hear the argument of Counsel in the case of Benjamin Nicolls vs the Ship Britannia and Cargo and John [illegible] et al.

Adjourned till to morrow morning at nine o'Clock

Tuesday Morning
9th August 1796

Present & adjourned the Court met this morning at the City Hall & sat

The Honble Oliver Ellsworth Esqr Chief Justice

The Honble { William Cushing, James Wilson, James Iredell, Wm Paterson, Samuel Chase } Esqrs Assistant Justices

Proclamation is made and the Court is opened.

Ordered

That the Decree of the Circuit Court for South Carolina District in the Case of Benjamin Moodie against the Ship Hark Dove and Cargo and Jean Bonteille and others be affirmed with Costs and a special mandate is awarded.

Ordered

That the Decree of the Circuit Court for South Carolina District in the Case of Benjamin Moodie against the Ship Alfred and Cargo and John Antoine Grandcour and others be affirmed with Costs and a special mandate is awarded.

Ordered

That the Judgment of the Circuit Court for South Carolina District in the Case of Benjamin Moodie against the Ship Britannia and Cargo and Jean B Casenave and others be affirmed with Costs and a special mandate is awarded.

Ordered

That the Judgment of this Circuit Court for South

Carolina District in the case of [illegible] against the Brig Eliza and Cargo and John Gaillard and others be affirmed with costs and a special mandate is awarded

Ordered

That the Judgment of the Circuit Court for South Carolina District in the case of Benjamin Chew against the Brig Liberty and Cargo and Abraham Lafontaine and others be affirmed with costs and a special mandate is awarded.

Ordered

That the Judgment of the Circuit Court for South Carolina District in the case of Benjamin Chew against the Brig Eliza and Cargo and Hal Gaillard and others be affirmed with Costs and a special mandate is awarded

Ordered

That the Judgment of the Circuit Court for South Carolina District in the case of Benjamin Chew against the Snow Betsy mast and Cargo and John D. Lawrence and others be affirmed with Costs and a special Mandate is awarded.

Mr Lewis rendered his motion for Attorneys to compel the State of Virginia to appear and answer William Grayson and others.

The Court having heard the argument of Counsel in the case of John A Dalton Plaintiff in Error against John Wallace defendant in error on the question what any and what damages shall be rendered against the plaintiff in error upon the reversal of the judgment in this cause and it is now finally ordered that the said defendant in Error recover as damages against the said Plaintiff in error the sum of one thousand seven hundred and eighty seven Dollars being the balance of thirty four thousand eight hundred and forty one Dollars and fifty six cents at present value of the Notes Counted for the damages from the fifth day of May one thousand seven hundred and

[illegible] from the day of the last Circuit Court in the said County [illegible] until the fifth day of this present month of August one thousand seven hundred and ninety six at the late hour of eight [illegible] and also that the said Marshall do every day duly return the writs aforesaid in this Court during the said term. And a special mandate is awarded to every other writ in question.

The Court proceeded to hear the Arguments of Counsel on the part of Jno Diego Bullock against the Ship the Friendship [illegible] Claimants by the Attorney and Sam Hodgdon Esqr. Defendant by Mr Lowndes & Mr Key

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Wednesday Morning
10th August 1796

Pursuant to adjournment the Court met this morning at the City Hall. viz.

The Honorable Oliver Ellsworth Esquire Chief Justice

The Justices { William Cushing, James Wilson, James Iredell, William Paterson & Samuel Chase } Esquires Associate Justices

Proclamation is made and the Court is opened.

Thomas Tenison, The United States } Came from the District Court of New Jersey.

The Writ of error is returned and filed. The Attorney General on behalf of the United States agrees to waive the service of a citation. Mr S. Teighman for the Plaintiff in error the Counsel Assent and the Attorney General does so also.

On motion of Edward Teighman Esquire Ordered that

Esquire of Delaware to act as Assistant and as a Committee of the Court

Ordered

That the decree of the District Court for the District of New York in the case of Don Diego Gardoqui against the Ship Jane Joseph, Abner Benson & Co Masters and Jean Baptiste Simard be affirmed with costs and a special Mandate is awarded

The Court proceeded to hear the argument of Counsel in the case of Hayward on Penalty and having made some progress therein they ordered the further argument of Counsel in the case of the United States against the Schooner de Vengeance and Jean Baptiste Bernard de Rozier

Adjournment till to morrow morning 10 o'Clock

Thursday Morning
11th August 1796

Pursuant to adjournment the Court met this Morning at the City Hall to wit,

The Honorable Oliver Ellsworth Esquire Chief Justice

The Honble { William Cushing, James Wilson, James Iredell, William Patterson, Samuel Chase } Esquires Justices

Proclamation is made and the Court is opened

Ordered

That the Judges and the Supreme Court of Judicature, Court of Oyer and Terminer for the County of Providence in the State of Rhode Island at the Term of Annual Sitting [illegible]

Returns thereof to be entered with these

Ordered

That the Judgment of the Supreme Court of Errors & Appeals of Georgia and said Delivery for the County of Rensselaer in the State of New York affirmed in the Cause wherein Ebenezer Ross Plaintiff in Error against Edward Livingston Defendant in Error with Costs

Ordered

That the Decree of the Circuit Court for the District of New York in the Case of the United States of America Libellants & Complainants and John Antoine Bernard de Bazan Respondent & Defendant and a special mandate is awarded

John Penn Esquire Attorney at Law of Edward Hyde Earl of Clarendon and Lord Lieutenant of Ireland and Henry Duke of Beaufort and Charles Duke of Somerset and Henry Duke of Monmouth and Charles Duke of Richmond and Lennox and Henry Duke of Grafton and Charles Duke of Northumberland and Algernon Duke of Somerset and Hugh Duke of Northumberland and Algernon Duke of Somerset and Hugh Duke of Northumberland and Algernon Duke of Somerset and Hugh

Ordered

That the Issue of Samuel Young against David I Germaugh be continued until the next term.

Ordered

That the Issue of Thomas Lawrence against the United States be continued.

Adjourned till 6 o'clock tomorrow morning at nine o'clock

Friday Morning
12th August 1796

Pursuant to adjournment the Court met this Morning at the City Hall, to wit,

The Honorable Oliver Ellsworth, Esquire, Chief Justice

The Assistants { William Cushing, James Wilson, James Iredell, William Paterson } Esqrs Associate Justices

Proclamation is made and the Court is opened.

Ordered

That the Prayer of the Libellant Lessee for Georgia Dividend in the Case of the Bridge Company Bridge and Mills, Mary, and Woodbridge Plaintiffs against Walter Cook defendant in error, stand over and on the fifth day of May next thereof shall be heard and finally determined & that the Sheriff of Burlington County do then and there summon twenty four good and lawful men of the County aforesaid to serve as Jurors at the said Court to be held for the purpose aforesaid

It is further ordered that the said Hills Mayo and Woodbridge pay to the said Custis eight thousand three thousand and [illegible] Dollars and fifty eight Cents the nett amount of the Sales of the Cargo of the said Ship and Two thousand six hundred and five Dollars and twelve Cents Interest of the same from the sixth Day of June in the Year one thousand seven hundred and ninety four to the twelfth day of August one thousand seven hundred and ninety one, making together the sum of thirty seven thousand six hundred and ninety five Dollars and twenty Cents: and that the said Hills Mayo and Woodbridge do pay the Costs of said: and a special mandate is awarded for execution.

Ordered

That when process at common law or in equity shall issue against a State, the same shall be served on the Governor or Chief Executive Magistrate and Attorney General of such State.

Ordered

That Writs of subpoena issuing out of this Court in any suit in equity shall be served on the defendant sixty days before the return day of the said process and further, that if the defendant on such service of the subpoena shall not appear at the Rules day contained therein, the complainant shall be at Liberty to proceed ex parte.

Ordered.

That the Decree of the Circuit Court of the United States in and for the Virginia District in the case of Wishart against Donaldy be affirmed with Costs and a special Mandate be awarded.

Mr. Morris withdrew his motion for a Distringas to compel the State of Virginia to appear and answer the Bill filed on the Equity side of this Court by William Ferguson and others. Mr Rees moved that an attachment might issue, which was granted.

The Court proceeded to hear the arguments of Counsel

Adjourned to the time and place by law appointed.

Ed.

At the City Hall in the City of Philadelphia
(being the Seat of the National Government of
the United States) on Monday the ninth day of February
one thousand seven hundred and ninety three and in the
seventeenth year of the Independence of the United States
the Court met.

Present

The Hble. { William Cushing, James Wilson, James Iredell, William Paterson & Samuel Chase } Esquires Associate Justices.

Proclamation is made and the Court is opened.

The Jury returned by the Marshall for the District of Pennsylvania in virtue of a Venire facias to him for that purpose, being called, Isaac Duncan, John Locke, Adam Jantzinger, John Reily, John Mafsey, Francis Hall, Jacob Spary, James Campbell, Joseph Lemmel, Abraham Kintzing, Charles Rofs, John Miller Junior, John Caul, John Davis, Jacob Cook, Godfrey Tibbelt, Thomas Peterson, Henry Rice, Charles Gilchrist, James Beninghurst, Samuel Cope, William Wilson, Abijah Dumas, Thomas Decker, Thomas Allen, John S. Parker, Abel Cook Junior, David Gallighan, Samuel Clarkson, George R. Chapman and Joseph Clarkson severally called the fault and James Cochran was excused from attendance.

The Issue of

{ Lefsee of Hunt vs Robinett.

is continued to the next Term.

On motion of Jared Ingersoll and Peter Allen Esqrs were admitted and sworn Counsellors of this Court

Adjourned till to morrow morning at ten o'Clock.

Tuesday Morning
February 7. 1797.

Pursuant to adjournment the Court met this morning at the City Hall, to wit

The Honorable { William Bushrod / James Wilson / James Iredell / Samuel Chase } Esquires, Associate Justices

Proclamation is made and the Court is open.

The Court proceeded to hear the argument of Counsel in the Case of Turnbull vs. The United States

Chauncey Goodrich, Pierpoint Edwards and Henry Wikoff were admitted and sworn as Counsellors of this court

On motion of Mr. Goodrich the Cause of Calder against Bull is continued till the next Term

Adjourned till to morrow morning at the usual

Wednesday Morning
8th February 1797.

Pursuant to adjournment the Court met this morning at the City Hall, to wit

The Mayor, William Loosley, James Wilson, James Sinkler, William Sullivan & Samuel Wade } Gentlemen aforesaid Justices

Proclamation is made and the Court is opened.

John Brown Esqr. Attorney at Law of the Prince of Luxemburg vs The State of South Carolina } Case

On motion of Mr. Haywood for the Plaintiff ordered,

That Judgment by default be entered against the defendant.

Hunter vs Fenwick } The Attorney General joins in error.

Brown vs Van Braam } Mr. Brown joins in error.

Wilson vs Daniel } Mr. Pilsbury moves to quash the Writ of error in this Cause on account of the dubiety of dispute not being of such an amount as to give jurisdiction to this

Court. — Motion dismissed.

Adjourned till to morrow morning at ten o'Clock.

Thursday Morning
9th February 1797

Pursuant to adjournment the Court met this Morning at the City Hall, to wit,

The Justices { James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires special Justices

Proclamation is made and the Court is opened.

The Court proceeded to hear the arguments of Counsel in the Case of Ware vs Hylton

David Hoxall was introduced and sworn a Counsellor of this Court.

The Jury were discharged for the remainder of the Session.

Adjourned till to morrow morning at 10 o'Clock.

Friday afternoon
2d February 1797.

Pursuant to adjournment the Court met this morning at the City Hall, to wit,

The Hon.	James Wilson James Iredell William Paterson Samuel Chase	Esquires Associate Justices

Proclamation is made and the Court is opened.

The Court proceeded to hear the Argument of Counsel on the case of Bingham vs Van Braam.

Cutting ——— }
vs }
The State of South Carolina }

On motion of Mr Dallas of Counsel with the Plaintiff a Writ of enquiry of damages is awarded to enquire at the bar of this Court what damages the Plaintiff has sustained by reason &c. And that three weeks notice be given to the Governor and Attorney General of South Carolina of the holding of said enquiry.

Hayes et al. ——— }
vs }
The State of Georgia et al. }

Rule for a commission to be directed to John Julius Pringle, Henry William DeSaussure Timothy Ford and Thomas Parker or any three or two of them, to examine Witnesses in the State of South Carolina —

Rule for a Commission to be directed to Joseph Read, John Mattocks, John D. Lowe and Abraham Kapsler or any three or more of them to examine witnesses in the State of Pennsylvania.

The Court proceeded to hear the argument of Counsel in the Case of Jennings et al vs The City Corporation et al.

Adjourned till to morrow morning at 10 o'Clock

Saturday Morning
11th February 1797.

Pursuant to adjournment the Court met this morning to wit,

The Hon'ble { William Cushing, James Wilson, James Iredell, William Paterson, Samuel Chase } Esquires Supreme Judges

Proclamation is made and the Court is opened

Hunter vs Fairfax } On motion of Mr Lee for the Defendant, Rule to shew cause the Court on the 15th instant, or cause of Action & the Declaration filed

Ordered

That the Judgment of the Court of

appeals for the King of England in the case of James Clark
Executrix of James Bickford against Richard Harwood
[illegible] be reversed, and that the judgment of the general
Court of Virginia in the same cause be in all things
affirmed, and that the said Jessie Clark recover against
the said Richard Harwood his costs about the same suit
expended in the general Court and Court of Appeals of
England and in this Court and a special mandate
to general Court.

Adjourned till Monday Morning next at ten
o'Clock.

Monday Morning
25th February 1771

Pursuant to adjournment the Court met this
morning. to wit.

The Rt. [illegible] William Cocking
James Wilson
James Iredell
William Paterson
Samuel Chase
} Esquires Associate Justices

Proclamation is made and the Court is opened.

Default

Rule of Affirmance

Ordered that this Cause be dismissed with
Costs

Motion
Petition
} On motion of Att. Gen. for the Defendant

Ordered that this cause be now heard with costs, unless

Bryan
vs
Van Bomm

Ordered that the Judgment of the Circuit Court for the District of Columbia be affirmed with costs, and interest at the rate of six per cent per annum from the day of rendering the said judgment until this day by way of damages.

Cunningham
vs
The United States

Rule for continuance on a suggestion of diminution.

Grayson
Virginia

On motion of Mr Lear for the Complainant.

Rule for a commission to be directed to Charles Smith, John Shelby and William Montgomery Esquires, or any two of them to examine Witnesses in the Borough of Lancaster in the State of Pennsylvania.

Rule for a commission to be directed to David Watts, William Alexander and John Lyon Esquires or any two of them to examine Witnesses in the Borough of Carlisle in the State of Pennsylvania.

Rule for a commission to be directed to John Woods, John Wilkins and George Mattox Esquires or any two of them, to examine Witnesses in the Com-

of Attorney under Seal of Pennsylvania.

Rule for a commission to be directed to Daniel Delany James Gibson and William Smith Esquires or any two of them to examine Witnesses in the City of Philadelphia.

Rule for a commission to be directed to the Honorable Samuel J. Hubert and Wilson Cary Nicholas Esquires to examine Witnesses in the State of Virginia.

Rule for a commission to be directed to William Hunter, William Murray and Andrew Holmes Esquires or any two of them to examine Witnesses in the State of North Carolina.

Hollon
Daniel
for the Defendant } Att: Pilsbury appears as Counsel moved all exception to the Writ of Error and citation and alleges diminution of the record; and

Rule by consent that a certiorari be issued to which Court as he shall elect; but it is understood that the Defendant be at liberty to withdraw his allegation of diminution and proceed to argument on the record as it now stands.

Jennings et al.
The Ship Fortescue et al. } Ordered

That the decree of the Circuit Court for the District of Rhode Island be affirmed with costs, and damages at the rate of six per cent per annum on the proceeds arising from the sales of the said Brig, Furniture and her Cargo after deducting the duties paid on the Cargo, Freight on the said Cargo and the Commissions on the Sales, and interest to be calculated from the day of condemning the said Brig and Cargo

and seven a Counsellor of the Court.

It is ordered by the Court, that the Clerk of the Court, to which any writ of error shall be directed, may make return of the same by transmitting a true Copy of the record of all proceedings in the cause under his hand and the Seal of the Court.

All the unfinished business is continued to the next Term.

Adjourned to the time and place by law appointed.

At the City-Hall in the City of Philadelphia

on Monday the twenty-third day of August Anno Domini one thousand seven hundred and ninety two and in the Seventeenth year of the Independence of the United States, The Court met.

Present

The Honorable Oliver Ellsworth Esquire Chief Justice

The Assistants { William Cushing, James Wilson, William Paterson & Samuel Chase } Esquires Associate Justices

Proclamation is made and the Court is opened. The Marshall for the Pennsylvania District makes return of a venire facias to him directed for summoning a Petit Jury, which was filed, and the Jury being called & answered, Barnabas Graham, David Paterson, Joseph Marshall, Benjamin Swift, William Gibbs, Charles Mayer, Francis Mott, Richard Wistar, William Lilley, Patrick Moore, Richard Heather, Pearson Hunt, John Whitehill, John Graham, Joseph Spencer, Rafter Nichols, Samuel Maxwell junior, Joshua B. Bond, John Milton, Jacob Kern, Philip Wagner, Joseph Davidson, George Davis, Gavin Hamilton, John Taggart, Charles Pennock, Nathan Field, George Eberman, Joseph Worthington, Samuel Fulton, Samuel Shoemaker, George David Smith, James Dixon, William Ward, Edward Smith, Daniel Rowe, James Simpson, Joseph Hartzog, John Worrell and Henry Hamberger severally made default.

It is ordered by the Court, that no record of this Court be suffered by the Clerk to be taken out of his office but by the consent of the Court; otherwise to be responsible for the

Northumberland &c.
vs
The State of Virginia } continued to the next Court

Lee of Gist
vs
Robinett }

On motion of Lee it is ordered that upon the Clerk of the District Court of Kentucky District to show cause, why the record is not transmitted.

Gaither
vs
Butt } continued by consent.

The Court proceeded to hear the arguments of Counsel in the Case of Ramsay vs the United States, which being concluded, it was ordered by the Court, that the Judgment of the Circuit Court be affirmed with costs.

Adjourned 'til ten o'Clock to morrow Morning.

Tuesday Morning
8th August 1797

Pursuant to adjournment the Court met this morning at the City Hall viz.

The Honorable Oliver Ellsworth, Esquire Chief Justice.

Jurors, of lawful Juries

Proclamation is made and the Court is opened.

The Court ordered the enquiry of damages in the case of Bailey vs The State of South Carolina to be now entered, and at the bar of the Court, and the Jury being called came to wit, William Kirby, James Cruikshanks, Robert Wilson, William Nesbet, William Brown, Joseph Jones, George Robertson, Samuel Richards, James Hamilton, Jos Bates, Thomas Agnew and William Reed, who being impannelled sworn and affirmed respectively, well and truly to enquire what damages the said Plaintiff hath sustained by reason of the non performance of certain promises set forth in his declaration against the said State of South Carolina Defendant, and to give a true verdict according to evidence; upon their oaths and affirmations respectively do say that they find for the Plaintiff Fifty five thousand and two Dollars and eighty four Cents Damages by reason of &c.

The Court proceeded to hear the argument of Counsel in the case of Brown vs Barry.

Adjourned till to morrow morning at Ten o'Clock.

9th August 1791

Pursuant to adjournment the Court met this
Morning at the City Hall

The Honorable Oliver Ellsworth Esqr Chief Justice

The Assts { William Cushing, James Iredell, William Paterson, Samuel Chase } Esqrs Justices of the Supreme Court

Proclamation is made and the Court is opened

The Court proceeded to hear the arguments of Counsel
in the Case of Vinson vs Peay

Adjourned till to morrow morning at 10 o'Clock

Thursday Morning
10th August 1791

Pursuant to adjournment the Court met this
Morning at Mayors Hall in the City of Philadelphia

The Honorable Oliver Ellsworth Esqr Chief Justice

The Assts { William Cushing, James Iredell, William Paterson, Samuel Chase } Esqrs Justices of the Supreme Court

Proclamation is made and the Court is opened

From the Sol. Gl. } is received by the Court

The Court proceeded to hear the argument of Counsel in the case of Cooney on Commonwealth.

[illegible]
vs
[illegible]

On motion of Mr. Lightbourn Clerk to whom a summons by the Writ of error is directed and he requested produce on motion of Mr. Dallas such evidence shown why the Writ of error should not be granted.

Adjourned till 11 o'clock tomorrow morning at 10 o'Clock.

Saturday afternoon
11th August 1797.

Pursuant to adjournment the Court met this morning at the City Hall, viz:-

The Honorable Oliver Ellsworth Esqr Chief Justice.

The Assts. { William Hamilton, James Nicholson, William Tilghman, Samuel Chase } Esqrs Associate Justices

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Cooney on Commonwealth.

On motion of Mr. Ingersoll Clerk for Writ of Judgment in Wright vs Cooney & Writ of Error dismissed.

On motion of Mr. Ingersoll Clerk for Restitution of the Goods taken from Cooney in the case of Cooney & al vs Wright & al.

Saturday morning
11th August 1792

Pursuant to adjournment the Court met this Morning at the City Hall, viz.

The Honorable Oliver Ellsworth Esqr Chief Justice

The Honble { William Cushing, James Iredell, William Paterson, Samuel Chase } Esqrs Assistant Justices

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Conroy vs Fitzsimons.

Adjourned till 10 tomorrow morning at 10 o'Clock

Monday Morning
13th August 1792

Pursuant to adjournment the Court met this Morning at the City Hall, to wit

The Honorable Oliver Ellsworth Esqr Chief Justice

The Honble { William Cushing, James Iredell, William Paterson, Samuel Chase } Esqrs Assistant Justices

Proclamation is made and the Court is opened.

The Court proceeded to hear the argument of Counsel in the case of Conroy vs Fitzsimons

Adjourned till eleven Morning to be official

Cambridge Circuit
16th August 1825

Present and The Honourable the Court met this morning at the City Hall &c. viz.

The Honorable Henry Deveaux Chief Justice

The Honble { William Harding / James Hodell / William Thomas / Daniel Chase } Puisne Circuit Justices

Proclamation was made and the Court is opened &c.

The State of South Carolina
vs
The Planet Ship Alexander / John Brown Master and / Others Owners of the Ship Planet } Writ in error.

It is ordered by the Court, that injunction be awarded to stay all further proceedings on a Judgment rendered at this present Term on an Action upon the case of John D. Bailey as Administrator of the Prince of Cambridge against the State of South Carolina, until the first day of January next, and it is further ordered by the Court, that injunction also be awarded to stay all further proceedings on said Judgment until the further order of this Court upon this condition, that the said State of South Carolina shall on or before the said first day of January next, bring into this Court the sum of One thousand eight hundred and fifty five Pounds eight Shillings and five pence sterling money of the State aforesaid of South Carolina, and

[illegible], together with the interest on the same at the rate of seven per Cent per annum from the Eleventh day of August one thousand

[illegible] recorded and registered in the Clerks Office of
said Court excepting and deducting from the amount
of Interest one thousand Pounds of Lire currency already
paid to the said John Brown Gabling [illegible] United
States by her Bill exhibited in this Cause for which
Lodged to be due and owing from the to the Great repu-
tation of the said Prince of Lowenbourg to the
French Republic and Has offered to deposit the same
in this Court, and shall deposit the same in this
Court subject to its further order and Decree as
it may make respecting the same, and that at the
same time pay into this Court the Costs in the above
Action.

Brown
" Barry } Ordered that the Judgment of the Circuit
Court be affirmed with Costs.

Same
" Same } Same Order

Same
" Same } Same Order

Same
" Same } Same Order

Same
" Same } Same Order

Same
" Same } Same Order

Monday 23. ad.

The State of Georgia et al } On motion of William Lyt-
man Esquire, It is ordered, that the Injunction granted
to the commission issued to Joseph Clay Junior and
others of the State of Georgia for the examination of
Witnesses in this Cause in the said State be dissolved
from the said commission and supersedeas to the same
issued to John Dawson and others of Commissioners
to take the examination of Witnesses in the said Cause
in the City of Philadelphia.

Levy
vs
Gassaway } continued by consent.

Brown
vs
Van Dusen } continued

Wilson
vs
Dowell } continued

Hamilton et ab. —
The State of Georgia et al } continued; and on motion of William Pilgrim Register.

Rule for Publication of the commission directed to issue and dispose and adhere to common Statutes in the City of Philadelphia, as soon as it is returned.

Brent et ab.
vs
Van Dikes } Ordered that the judgment of the High Court of Appeals of the State of Maryland be reversed and that the judgment of the general court of Maryland in the same cause be in all things affirmed, and that the said Christopher Brent and Company recover against the said James Van Dikes as terre tenant of Mark Alexander his costs about the same suit expended in the General Court and Court of Appeals of Maryland and in this Court and a special Mandate is awarded to the General Court.

Brent et ab.
vs
Wilkes } Ordered, that the judgment of the High Court of Appeals of the State of Maryland be reversed and that the judgment of the general court of Maryland in the same cause be in all things affirmed and that the said Christopher Brent and Company recover against the said Lyonius Wilkes as terretenant of Mark Alexander their costs about the same suit expended in the general court and Court of Appeals

of Maryland and the Appeal, and a ... and
this is remitted to the General Court.

Smoot et al. vs.
Robinson et al. } Ordered, That the Judgment of
the High Court of Appeals of the State of Maryland
be reversed and that the Judgment of the General
Court of Maryland in the same cause be in all
things affirmed and that the said Chancellor
Court and Company recover against the said
Andrew Robinson and Alexander Robinson, the
executors of Hard Alexander, their costs about the
same suit expended in the General Court and
Court of Appeals of Maryland and in this Court
and a special Mandate is awarded to the General
Court.

Tapscott et al.
vs.
Jenkins — } Edward S. Tyler one of the
Appellees for the Defendant in error, and the
cause is continued by consent.

Clarke et al.
vs.
Bassett — } Mr. Magruder opens the
general case and the cause is continued.

Hamilton et al.
vs.
Moore } Ordered that the writ
of error be dismissed.

All the unfinished Causes are continued
to the next Term.

Adjourned to the Time and Place by the
Act provided.

In the City Hall in the City of Philadelphia

On Monday the fifth day of February in the Year of our Lord one thousand seven hundred and ninety eight being the twenty second Year of the Independence of the United States the Supreme Court of the United States met agreably to Law

Present

The Hon'ble { William Cushing, James Wilson, William Paterson & Samuel Chase } Associate Justices.

Proclamation is made and the Court is opened.

Mr. Marshal for the Pennsylvania District makes Return of a Venire Facias to him directed for summoning a Petit Jury which is filed and the Jury being called the following Persons only appear & are

Robert Patton, George Ross, Joseph Ashbridge, William West Thomas, John Ross, Jacobus Clifford, Robert Smith, John Craig, James Diamond, William Lambert

And the said Petit Jury is discharged until Saturday next.

On Motion of Edmund Ingersoll Esquire the Honble Uriah Tracy Esquire of Connecticut is admitted and Sworn as an Counsellor of this Court.

Now this first day of February Term in the Year of our Lord one thousand seven hundred and ninety eight being the twenty second Year of the Independence of the United States the Supreme Court of the United States met agreably to Law

Present

The Hon'ble { William Cushing, James Wilson, William Paterson & Samuel Chase } Associate Justices.

Proclamation is made and the Court is opened.

Mr. Marshal for the Pennsylvania District makes Return of a Venire Facias to him directed for summoning a Petit Jury which is filed and the Jury being called the following Persons only appear & are

Robert Patton, George Ross, Joseph Ashbridge, William West Thomas, John Ross, Jacobus Clifford, Robert Smith, John Craig, James Diamond, William Lambert

And the said Petit Jury is discharged until Saturday next.

On Motion of Edmund Ingersoll Esquire the Honble Uriah Tracy Esquire of Connecticut is admitted and Sworn as an Counsellor of this Court.

the Writ of Error and Citation in this
cause issued and returnable into the Supreme
" C. C. B. B. — as attorney
" William Nesbit
" Marshall "

Mr. Nelson of Counsel for Defendant —
Said that the Record does not show why the
Defendant should not be discharged upon common
Bail and Notice was not given for the
Argument of the Case —

Wilson
vs
Daniel

Writ of Inclusion to the Circuit Court of
Fayette County —

Stevens et al
vs
Perkins

Mr. C. Stevens for the Plaintiff —

Bringhurst
vs
Cabell

Mr. C. Stevens appears as Counsel for the Defendant
in Error and prays an Order —

The Court affirms with Costs Decree
of the Circuit Court —

Tuesday Morning 6th January 1795

Present The Honorable Samuel Livermore Esquire

The Court } William Cushing
Samuel Sitgreaves
William Paterson
and Chief Justice } Justices

Proclamation is made and the Court is opened.

On Motion of the honorable Henry King the honorable Ralph Pomeroy of the State of New Hampshire is admitted and sworn as a Counsellor of this Court.

Franklin et al } Writ of Error to
State of R.I. } Supreme Court of New York

It is agreed by the Parties that the Writ of Error be withdrawn and the Action dismissed upon Condition that William J. Bollman give Bond for the Payment of One thousand two hundred Dollars by the 6th of 2nd Month next (5th of March) to New York or in Default thereof that Samuel Franklin pay the Judgment of the Supreme Court of New York in this Case the Defendants to be exempted from all Costs.

Clarke et al } Writ of Error to the
Bayard } Supreme Court of Rhode Island.

The Court directs to hear the Arguments of Mr Edwards of Counsel for the Plaintiff & of Mr Parke of Counsel for the Defendant —

The Court adjourns until 9 o'clock Morning at the Usual Hour.

Wednesday Morning
7th February 1798 —

Pursuant to Adjournment the Court met this Morning to wit

The Middle District } William Cushing, James Iredell, William Paterson & Samuel Chase Assistant Justices

Columbia et al vs Rafael —

The Court directs to hear the Arguments of Counsel in this Cause to wit of Mr Dallas of Counsel for the Defendant and of Mr Ingersoll for the Plaintiffs —

Wilson — vs Bonsil —

Continues to the Circuit Court of the Eastern District adjourned until 9 o'clock —

Declaration filed for Morgan Atty —

The Court adjourns until tomorrow Morning at ten of the Clock —

Thursday Morning 8th. February 1798.

Present as Yesterday the Court met this Morning & sat

The Justices { William Cushing, James Iredell, William Paterson & Samuel Chase } of the Supreme Court

Clerks of the Districts

The Court directs to have the further Argument of Counsel on this Cause to wait of Mr. Ingersoll for the Plaintiffs —

Ordered that the Judgments of the Circuit Court of the United States in and for the District Court of the Eastern Circuit be affirmed with Costs —

A Mandate directing the same is awarded —

The Writ of Error, Citation is issued —

The Honble William Gordon of the State of New Hampshire is admitted and summoned a Councillor of this Court —

Gobler
vs
Bull

The Suit of Gobler vs Bull is suggested

The Court proceeds to hear the Arguments of Counsel on this Cause and after due Consideration pass for the Plff.

Jones
vs
Adams

The Deposition of the Plaintiff taken before the Judge of the Inferior Court of Pleas is opened by the Court and filed —

The Court adjourns until Tomorrow Morning at ten of the Clock —

Friday Morning
9th February 1798 —

The Court is opened by Proclamation by the Sheriff

The Honble { William Gordon, James Sullivan, William Plumer, Samuel Livermore } Esqrs Justices

Jones
vs
Sibrake

Ordered that the Rule to shew cause entered in this cause on the first Day of the Sessions be amended as follows—

On Motion of Mr Sullas—

Rule to shew cause why the Defendant should not be discharged upon entering a common Appearance. —

And the Court proceeds to hear the Arguments of Counsel thereupon to wit— of Mr Ingersoll for the Plaintiff—

Ordered that the Defendant be discharged upon entering a common Appearance —

By Direction of Mr Ingersoll the Appearance of Edward Livingston, Esquire is entered for the Defendant—

Dejarnett et al
vs
Jenkins—

The Court proceeds to hear the Arguments of Counsel in this Cause to wit— of Mr Forster for the Plaintiffs—

The Court adjourns until tomorrow at ten of the Clock. ———

Saturday Morning
10th February 1798.

Pursuant to Adjournment the Court met this Morning, to wit -

The Worthy { William Lushington, James Tindall, William Tattersall, Samuel Chase. } Aforesaid Justices

No Petit Jury discharged to this Day being called the following Persons only appeared - to wit.

George Fee. Josiah L. Anthony. John Miller. Junr. and James Bee -

No Petit Jury is discharged for the Remainder of the Assizes -

Pepper et al vs Jenkins

No Court proceeds to hear the further Arguments of Counsel in this Cause to wit of Mr. C. Pinkney for the Defendant -

The Court proceeds to hear the Arguments of Counsel in Support of the Jurisdiction of the Court in Suits against States - to wit of Mr. Pinkney and Mr. Rawle and of the Attorney General (Mr. Lee) against the Jurisdiction -

The Court adjourns until Monday Morning at ten of the Clock -

Monday Morning
12th February 1798.—

Pursuant to Adjournment the Court met this Morning to wit—

Mr Hooke { William Cushing, James Iredell, William Paterson, Samuel Chase } Associate Justices

Proclamation being made the Court is opened—

The Court adjourns without proceeding to Business until Tomorrow Morning at ten o'Clock.

Tuesday Morning
13th February 1798.—

Pursuant to adjournment the Court met this Morning to wit—

Mr Hooke { William Cushing, James Iredell, William Paterson, Samuel Chase } Associate Justices

Proclamation being made the Court is opened [illegible]

The Court permits to have the further Argument of Counsel in this Cause to wit of Mr Nathaniel Smith and Mr Ingersoll for the Defendant

Wilson
Daniel } The Court proceeds to hear the arguments of Counsel in this Cause upon the Allegation of the diminution of the Record — viz: of Mr. D. Hopkinson in support of it, and of Mr. Lee (the Attorney General) and Mr. Ingersoll against it. —

Bingham
Lee
Cabot } The Court proceeds to hear the arguments of Counsel in this Cause, viz: of the Attorney General Mr. Lee for the plaintiff and of Mr. Daniel for the Defendants. —

The Court adjourns until to-morrow morning at ten of the Clock.

Wednesday Morning
10th February 1798

Pursuant to adjournment the Court met this morning — to wit.

The Senate { William Bingham, James Ross, William Paterson, Samuel Dehart } Associate Justices

Proclamation being made the Court is opened.

Hollingsworth
for
Virginia } The Court is of opinion, that, on Consideration of the Amendment of the Constitution respecting Suits against States, it has no Jurisdiction of this Cause. —

It is therefore considered by the

Court that the Bill be dismissed. =

Hudson et al
vs
Georgia et als

The Court is of opinion that in consideration of the Amendment of the Constitution respecting Suits against States it has no Jurisdiction of this Cause:

It is therefore considered by the Court that the Bill be dismissed so far as respects the State of Georgia.

Brailsford
vs
Georgia

The Court is of opinion that in consideration of the Amendment of the Constitution respecting Suits against States it has no Jurisdiction of this Cause;

It is therefore considered by the Court that this Suit be discontinued. =

State of South Carolina
vs
Brailsford — } Continued by Consent. =

Depau et al
vs
Jenkins } =

Ordered that the decree of the Circuit Court for the United States in and for the Massachusetts District of the Eastern Circuit be affirmed. =

Bingham
vs
Cabot }

Ordered that the Judgment of the Circuit Court of the United States in and for the Massachusetts District of the Eastern Circuit be reversed. =

Wilson

Baldwin
vs
Bull
} continued.

Gist
vs
Robinett
} continued.

Dawson
vs
Van Horne
} continued.

Gist
vs
Robinett
} . . . . . .

On motion of Mr. Ingersoll

Rule upon the Clerk of the District Court of the United States in and for the Kentucky District to show Cause why the Record is not remitted.

Clarke Vol.
Ruffell
}

Ordered that the Judgment of the Circuit Court of the United States in and for the Rhode Island District of the Eastern Circuit be reversed.

Mucklein Vol.
Georgia Vol.
}

On motion of Mr. W. Fitzhugh for the Plaintiffs,

Ordered that the Bill filed in this Cause be dismissed without prejudice.

Emory
vs
Greenough
}

Ordered that the Judgment of the Circuit Court of the United States in and for the Pennsylvania District of the Eastern Circuit be reversed.

All the unfinished business is continued to the next Session.

Adjourned to the time and place by law.

At the City Hall in the City of Philadelphia, being the [illegible] day of the [illegible] Session of the Supreme Court of the United States, begun and held on the Sixth Day of August in the Year of Our Lord One Thousand Seven Hundred and Ninety Eight and in the Twenty Third Year of the Independence of the United States. The Supreme Court of the United States met agreeably to Law

PRESENT

The Honorable Oliver Ellsworth, Esquire, Chief Justice
The Honorable { William Cushing / James Wilson / Samuel Chase } Esquires, Associate Justices

Proclamation is made and the Court is opened.

Ordered

That the Court proceed to hear the Attorney General of the United States, Mr Lingan on the part of the Plaintiffs and Mr Ewing on the part of the Defendants in Error.

Wednesday 7th August 1798.

Pursuant to Adjournment the Court met at the City Hall, City

PRESENT

The Honorable Oliver Ellsworth, Esquire, Chief Justice
The Honorable { William Cushing / James Wilson / Samuel Chase } Esquires, Associate Justices

Proclamation being made the Court is opened.

Ordered

That the Court proceed to hear Argument on the Motion of Mr Dallas for a Rule to show Cause why a Mandamus should not issue to the Judges of the Circuit Court for the District of Pennsylvania to compel them to proceed to hear and determine the Cause of Turner Cameron against Thomas Bee Judge of the District Court of the United States for the District of Pennsylvania, which Motion was made at the last Term of this Court, and the Court having heard Mr Dallas in support of the Motion and Mr Lewis against the Motion, and Mr Dallas in reply, and the Court having taken time to consider of the Motion, and having considered the same, it is now ordered by the Court that the Motion be overruled.

Wednesday 3d August 1796

Present

The Honourable

Mr Justice Iredell

Mr Justice Chase

Proclamation being made

Ordered

Walker
Pratt } The Court [illegible] to give their Decision on the
Case stated.

Ordered That the Decree of the Supreme
Court of the State of Connecticut be affirmed with Costs.

Mr Walker
Mr Pratt } Mr Clerk of Counsel for the Defendant
files a Suggestion in this Cause and then
[illegible] for a Mandate to the Circuit Court for the Dist
of Connecticut District to stay proceedings in said Case and that
Mandate be ordered to issue in the usual Form

Ordered by the Court

The Court having finished the Business before it
Adjourned to this Room and Hour by Law appointed &c.

Saturday 3rd February 1799

Pursuant to Adjournment the Court met this day at Nine o'clock

Present

The Honourable Henry Edmund Dyson Chief Justice

William Bentley
James Arnold
William Brown
Theodosius Pemberton
} Esquires & Gentlemen Justices

The Minutes of the last Court were read & confirmed

Henry Lee Esquire was sworn as Clerk of the Court & took his seat accordingly

Attorneys

Edward Lee } Not admitted to plead as Attorneys out of the Court

Henry Lee Esquire on the part of the Plaintiff and Edward Lee Esquire on the part of the Defendant the Issue joined in this Cause being this day called on & Jury sworn to try the same

Wednesday 6th February 1799

Pursuant to Adjournment the Court met this day at Nine o'clock

Present

The Honourable Henry Edmund Dyson Chief Justice

William Bentley
James Arnold
} Esquires & Gentlemen

On a Motion of Mr. Lee Mr. Todd is admitted a Counsellor of this Court and qua[illegible] accordingly —

On a Motion of Mr. [illegible] Esquire a Barrister of the Middle Temple is admitted a Counsellor of this Court [illegible] accordingly —

Irvine
vs.
Innis's Lee
} on Mr Lee's motion dismissed for want of prosecution as the plaintiff did not give the Deft. a rule to plead within the time prescribed by the Rules of this Court

Thursday 3rd February 1791

Present as before

Present

Mr Bennett this day produced his Commission as Attorney General of this State

William Bradford
James Wilson
William Rawle
Benjamin Rush
} Esquires Barristers at Law

Irvine
vs.
Innis's Lee
} on Mr Bennett's motion the rule entered in this cause on Saturday last was discharged the same Mr Bennett on the part of the Deft. was directed to proceed

The Court adjourned until 9 o'Clock A.M. on Monday next —

Monday 7th February 1791

Present as before

Mr Bennett this day produced his Commission as Attorney General of this State — Present

Mr Bennett also produced Commissions of the following Gentlemen Barristers at Law

William Rawle
James Wilson
} Esquires

Thursday 9th February 1775

Present

Sir Samuel Hannay Bart Lord Mayor

Sir Thomas Rumbold

Sir Richard Glyn

Sir Robert Kite

Sir Thomas Halifax

Sir Richard Aldworth Neville

Sir Thomas Harley

Sir Watkin Lewes

Sir Robert Bernard

Sir Thomas Bond

Sir Robert Ladbroke

Sir Thomas Chitty

Sir Thomas Wilmot

Sir Thomas Hall

Thursday 12th February 1789

Pursuant to adjournment the Court met at the Town Hall of the City Perth

Present

The Honourable Alex Abercrombie Esquire Lord Provost

William Cuthbert
James Murray
William Pullar
Richard Whitefoord

Thursday 19 February 1789

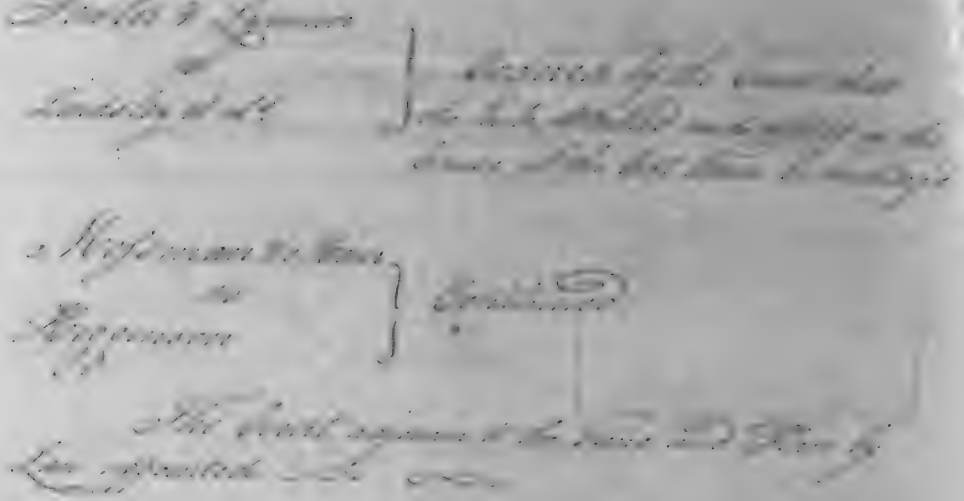
Pursuant to adjournment the Court met at the Town Hall of the City Perth

Present

The Honourable Alex Abercrombie Esquire Lord Provost

William Cuthbert
James Murray
William Pullar
Richard Whitefoord

absent
absent



Thomas
to
Dr Thomas Hinde

James Saunders
vs
Wm. Rhodes

Writ of Error Dismissed
Assented to by the Attorney for the Defendant in Error
and Joined in Error

James J. Pettigrew
vs
The United States

Writ of Error South Carolina
Dismissed and Filed

United States
vs
Tiffiane

Writ of Error Dismissed by Counsel in the Cause

Wednesday February 11th 1818

The Court met this day at the City Hall pursuant to adjournment

Present
The Honorable William Cranch
William Tilghman
Richard Rush
Gabriel Duvall
Bushrod Washington

United States
vs
Tiffiane

Writ of Error dismissed by Counsel for the Defendant in Error

Thursday February 12th 1818

Present as Yesterday

Present
The Honorable William Cranch
William Tilghman
Richard Rush
Gabriel Duvall

Thomas Wilson
vs.
Affidavit

Saturday
vs.
Rankin

Thomas Bullman
vs.
The Union Mutual Life Insurance Co.

Attorneys

Supreme Court
vs.
Affidavit

Wilkinson
vs.
Wilson

Friday [illegible] August 1817

Pursuant to [illegible] Court [illegible]
the Court House

Present

The Honorable William Johnson
Richard Winthrop
Alfred Moore
} Esquires

[illegible]

Saturday [illegible] August 1817

Pursuant to [illegible] Court [illegible]
the Court House

Present

The Honorable William Johnson
Richard Winthrop
Alfred Moore
Samuel Glover
} Esquires

A Commission from the Governor of this State to Alfred Moore Esquire for holding this Court was read and a Copy of the same is ordered to be filed for Record which is accordingly done and the Oaths of Office were administered to the said Alfred Moore in open Court

State of South Carolina } The King against
vs } Richard Hazard
Charleston District } Assault & Battery

A Bench Warrant issued against the Defendant returnable to this Court

Monday [illegible] August 1817

Pursuant to [illegible] Court [illegible]
the Court House

Present

The Honorable William Johnson
Richard Winthrop
Alfred Moore
Samuel Glover
} Esquires

Tilghman
vs
State's Exrs

At a Supreme Court of the United States holden at the City of Washington for the purpose of holding the February Term of the said Court for the year of our Lord one thousand eight hundred and one and of the Independence of the United States the twenty fifth

Present

The Hon.ble William Cushing Esqr.

A sufficient number of Justices not being convened to constitute a Court the Court adjourned until to morrow morning at ten o'Clock.

Tuesday February 3.d 1801.

The Court met according to adjournment

Present

The Hon.ble William Cushing Esqr.

A sufficient number of Justices not being convened to form a Court the Court adjourned until to morrow morning at ten o'Clock.

Wednesday February 4.th 1801.

The Court met according to Adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing
Samuel Chase
Bushrod Washington
Alfred Moore
} Esquires Associate Justices.

A Commission from the President of the United States to John Marshall Esquire appointing him an Associate Justice of the Supreme Court of the United States in the room of the Honorable John Jay resigned bearing date the fourth day of January in the year of our Lord one thousand eight hundred and one and of the Independence of the United States the twenty fifth was this day produced in Court and the said John Marshall having taken the oaths prescribed by law to be taken to entitle him to act as a Judge of this Court took his seat accordingly.

A motion was made by Mr. Attorney General (Charles Lee Esq.) that Thomas Key Esquire Attorney of this Court and Counsellor at Law be admitted to practice as Counsellor in this Court and he was accordingly admitted.

Mr. Clerk will call the docket

Talbot
vs.
Lamson

On motion of Mr. Brownell attorney for Plaintiff in error
this cause is continued under the usual rules.

Stockton
vs.
Wilson

Ordered that this cause be continued under the rules.

State of New York
vs.
State of Connecticut

Rule for printers in behalf of the plaintiff
to be served.

The Court is adjourned till tomorrow morning at
eleven O'Clock.

Thursday February 6th 1851. The Court met.

Present

The Honorable John Nelson Chief Justice.
William Cranch
Samuel Hubbard
Theodore Wolcott
} Justices of the Peace

On the request of Edward Livingston as Attorney of
this Court he is admitted a Counsellor of this Court.

Corcoran
vs.
Alexr. Co. et al.

On motion of Mr. Brownell Attorney for Plaintiff
in error it is ordered that the writ of error in this cause
be dismissed with costs pursuant to the agreement.

The Court adjourned till tomorrow morning at
eleven O'Clock.

Tuesday February 6th 1701

The Court met pursuant to Adjournment

Present

The Honorable John Hamilton Chief Justice

William Cooke
Samuel Shute
Parker Markham
} Associate Justices

Grand Jurors
Names Sworn } The Grand Jurors Names given in the entry of this Court Yesterday Morning

The Court adjourned until Tomorrow morning at nine o'Clock

Wednesday February 7th 1701

The Court met pursuant to Adjournment

Present

The Hon.ble John Hamilton Chief Justice

William Cooke
Samuel Shute
Parker Markham
} Associate Justices

Grand Jurors
Names Sworn } The Court permits to draw the Jurors in this Cause

The Court adjourned until Tomorrow morning at nine o'Clock

Thursday February 8th 1701

The Court met pursuant to Adjournment

Court.

The Honorable John Marshall Chief Justice
William Cranch
Samuel Chase
Bushrod Washington
} Associate Justices

Tuesday
January
Term

In motion of Mr Dallas Counsel for the Defendant in Error It is Ordered that the marshal of this District do sell the Ship and Cargo in proceedings in this cause by order of the District Court of this District and the Agent of the parties, which was ordered by the said Court to be retained in the hands of the said Marshal to pay to the respective owners of the said Ship and Cargo or their agent or their lawful representatives or assignees such sum as the said District Court may ascertain to be their respective interests in the same pursuant to the mandate of this Court issued in pursuance of the judgment of this Court rendered at the last term of this Court which may be found under the seal of the said District Court to be due to them

Tuesday
February
Term

On motion of Mr Dallas the writ of Error in this cause is granted

It is ordered on the Clerks entering security in the sum of Eleven thousand Dollars

Tuesday the 6th February 1804.

The Court not sitting

Record

The Hon. W. John Marshall Chief Justice
[illegible] } Associate Justices

Term
Feb. 1821 } The Court having heard the parties in said cause by their respective Counsel. Order the Decree of the Circuit Court for the District of Georgia in said cause to be reversed, & not affirming to the Supreme Court of the United States from the Decree of the Circuit Court for the District of Georgia and proceeded in said cause.

Affirmed
Term
Feb. } Conclusion

Reversed
Term
Feb. } Conclusion

Dismissed
Term
Feb. } Conclusion

Affirmed
Term
Feb. } Conclusion

Reversed
Term
Feb. } Conclusion

In each of these cases by consent of the parties by their Counsel it is the opinion of the Court there is error in the Record by making the said writ returnable to the first day of the present Term and by citation to the said Robert & George Wilson is a Defendant in Error & that the Decree of the Circuit Court of the United States for the District of Georgia in the said cause be reversed & annulled & that the Appellant recover against the Appellees his costs

The Supreme Court of the United States on the first Monday being the 7th day of August in the year of our Lord one thousand eight hundred and one

Present

The Honorable Oliver Ellsworth Chief Justice of the United States and William Paterson & Bushrod Washington Associate Justices

The Honorable Samuel Chase, Thomas Mackin Tilghman, & Alexander Wolcott Esquires Associate Justices

A sufficient number of Judges not being present to constitute a Court the Court adjourned the Session sine die

Monday 8th August 1801

The Court met agreeably to adjournment

Present

The Honorable Oliver Ellsworth Chief Justice

William Paterson
Samuel Chase
Bushrod Washington
Alexander Wolcott

} Associate Justices

Charles Lee Esquire Attorney General of the United States } The Court proceeded to hear the argument of Counsel

The Attorney General moved for the Defendants in Error and Mr Dallas for the Plaintiff

Thomas Jefferson Esquire President of the United States and John Marshall Esquire Secretary of State of the United States were severally admitted as

Committee of Works and City Improvements Committee Meeting

5

The Court adjourned this Committee meeting at 12 o'Clock

Wednesday 8th August 1888

The Court was specially to adjourned.

Present

His Worship the Lord Mayor (Alderman Sir Reuben Hannam, Knight, Alderman Sir Robert Knight, Alderman Sir Stephen Gatehouse, Alderman Sir Alfred Slade) presided.

Letter to Governors — The Town Clerk informed the Committee that a letter had been received from the Governors of the Hospital of Bridewell and Bethlehem, dated the 7th instant, stating that the Governors had agreed to the proposed Improvement in Bishopsgate Street Without, and requesting that the Corporation would proceed with the same.

The Court adjourned this Committee meeting at 12 o'Clock

Wednesday 8th August 1888

The Court was specially to adjourned.

Present

His Worship the Lord Mayor (Alderman Sir Reuben Hannam, Knight, Alderman Sir Robert Knight, Alderman Sir Stephen Gatehouse, Alderman Sir Alfred Slade) presided.

Letter to Governors — The Town Clerk informed the Committee that a letter had been received from the Governors of the Hospital of Bridewell and Bethlehem, dated the 7th instant, stating that the Governors had agreed to the proposed Improvement in Bishopsgate Street Without, and requesting that the Corporation would proceed with the same.

The Court adjourned this Committee meeting at 12 o'Clock

Wednesday 8th August 1888

The Supreme Court of the United States began at the Capitol in the City of Washington the first Monday being the seventh day of December in the year of our Lord one thousand eight hundred and one and of the Independence of the United States the twenty fifth

Present

The Honorable William Cushing } Justices
William Paterson }

There not being a sufficient number of Justices to form a quorum, the Court adjourned till tomorrow morning eleven O'Clock

Tuesday 8th December 1801

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing
William Paterson
Samuel Chase
Bushrod Washington
} Associate Justices

No motions being made for trial, the Court adjourned until tomorrow morning eleven O'Clock

Wednesday 9th December 1801

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing
William Paterson
Samuel Chase
Bushrod Washington
} Associate Justices

Edmund Randolph
Levi Lincoln
} Esquires appointed Attorney and Counsellor

Baxter
vs.
Taylor
} Record filed. Ds. motion for continuance and plea and argument heard.

Turner
vs.
Fennel
} Record filed. Ds. motion for continuance refused.

Plaintiff
vs.
Donald &
Paulin
} Cause called and no appearance for the Defendant in any action.

It is ordered that in every cause where the Defendant in error shall fail to appear the Plaintiff may proceed ex parte.

The Court adjourned till tomorrow morning eleven O'Clock.

Thursday 10th December 1801.
Present Court met.

The honorable John Marshall Chief Justice
William Cushing
William Patterson } Associate Justices
Bushrod Washington

Turner
vs.
Fennell
} The Court heard the argument in this cause.

The Court adjourned until tomorrow morning at eleven O'Clock.

Friday 11th December 1801.
Present
The honorable John Marshall Chief Justice
William Cushing
William Patterson
Samuel Chase } Associate Justices
Bushrod Washington

Hunter &c &c
vs
Adamson (Sheriff) &c &c
} The Court hears the argument of the counsel

aforesaid until Tomorrow morning when it will

Tuesday 15th December 1801.

Wilson
vs
Mason
} This cause came on to be heard &c

whereupon it is considered by the Court that plaintiff Wilson hath by law the better right to the land in controversy and that the judgment of the District Court for the District of Kentucky be reversed and annulled and that the register of the land office in Kentucky do grant to the said Wilson upon his entry & due survey of the said land in the said office according to the rules and bounds thereof so that the said plaintiff do & his assigns his said patent thereof in that Court and in the said District Court; all which is ordered to be certified to the said District Court and the register of the land office accordingly &c.

Same
vs
Same
} It is further considered by the Court that the plaintiff Wilson hath by law the better right to the land in controversy and that the judgment of the Court of the United States for the District of Kentucky be reversed and annulled and that the said caveat be dismissed and that the said plaintiff Wilson recover his costs expended in the said suit and in the said District Court; all which is ordered to be certified to the said District Court and the said register of the land office accordingly &c.

Dilworth
vs
Bank of Columbia
} The Court hears further argument in this cause.

Judge Washington gives his opinion in this cause. A
decree is affirmed with costs &c.

The Court adjourned till tomorrow morning 10 o'clock.

Wednesday 11th November 1840.

The court met pursuant to adjournment.

Present

The Honorable John Macaulay Chief Justice

William Dunbar
Stephen Sewell
Samuel Gale
Jonathan Sewell
} Puisne Justices.

Lott
Cowan
} The Court took time to consider on the case of Mr Hunter on the part of the appellant and by Mr Atty Gen. Cowan on behalf of the Crown.

The court then adjourned until tomorrow morning at 11 o'clock.

Thursday 12th November 1840.

The court met pursuant to adjournment.

Present

The Honorable John Macaulay Chief Justice

William Dunbar
Stephen Sewell
Samuel Gale
Jonathan Sewell
} Puisne Justices.

Robinson (Atty Gen.)
Hunter
} The court took time for the argument in this case.

The court then adjourned until tomorrow morning at 11 o'clock.

Friday 13th November 1840.

The court met pursuant to adjournment.

Present

The Honorable John Macaulay Chief Justice

William Dunbar
Stephen Sewell
} Puisne Justices.

Capias
ad Resp.
Affidavit of information of Wm Harding for Writ of Capias
for Plaintiff in this cause for $ to be taken
for the information of the Court in the cause

Bond
and
Security
Bond of Security for the appearance in case
Court & quash the writ & process in the cause
Recognizance

William Harding
vs
James Madison
Secretary of State of U.S.

On the motion of William Harding by his
attorney Thomas Swann it is ordered that
a writ of Capias ad respondendum issue
against James Madison Secretary of State of the
United States to the next term of this Court
to be held for the District aforesaid at the City
of Washington on the first Monday in December
next to answer unto the said William Harding in a plea of
trespass on the case and that bail be taken in the sum
of Five thousand dollars and that a copy of this order be
served on the said James Madison Secretary of State of the United States
at least thirty days before the said next term of this Court
and it is further ordered that the said William Harding do file
his declaration in this cause on or before the first day of the said next term
of this Court

and truly believes that the Senate of the United States nominated the said William Marbury to the Senate of the United States for their advice and consent to be a Justice of the peace in the County of Washington in the District of Columbia and that the Senate did advise and consent to the appointment of the said William Marbury to the office aforesaid, and that a Commission having been made out in due form and signed by the President aforesaid appointing him to the said office and that the great Seal of the United States was affixed to the signature aforesaid of the President aforesaid, affixed to the said Commission by the Secretary of State of the United States and that the said William Marbury has requested of the said James Madison Secretary of State of the United States aforesaid that the said Commission should be delivered to him the said William Marbury, and that the said James Madison Secretary of State aforesaid hath not complied with the said request, and that the said Commission is withheld from the said William Marbury, and he further affirming his

the affidavit aforesaid that application has been made to the said James Madison Secretary of State of the United States and by letter for information whether the Exemplification aforesaid was signed by the President aforesaid was sealed with the seal of the United States that official and satisfactory information has not been given in the said matter by the said Secretary of State or any officer in the Department of State, and further affidavit by the affidavit aforesaid that application has been made to the Secretary of State the Senate for by Officer of the nomination of the said William Thornton by the aforesaid President and of the advice and consent of the Senate that the said William Thornton should be appointed to the said office, and that the said Secretary has declined giving such a Certificate. It is ordered and ordered that on the fourth day of this next term James Madison Secretary of State of the United States who may be by law or by a mandamus should not be awarded by this Court to the said James Madison Secretary of State of the United States commanding and requiring him to cause to be delivered unto the said William Thornton the Exemplification aforesaid of a Letter of the Seal in the County of Washington in the District of Columbia

Saturday 9th November 1889.

The court not sitting to-day in consequence of

Present

The Honorable John Hamilton Gray Justice

William Purkis
William Pittfield
Samuel Short
Richard Hodgson

Esquires & Justices

Lee
vs
Simms

The court hear further argument in this case

Talbot
vs
Lee

The Counsel on both sides having by the consent of the Plaintiff in error file in this case the following admissions

Clark
vs
Reynolds

Ordered that the writ of error in this case be quashed

Grocers et al
vs
The Northern Assurance Company

The Court hear the argument in this case by Mr Bryan for Plaintiff in error and Mr Hanbidge for defendant

The court adjourned until 11 o'clock tomorrow morning when it sat

Monday 21st November 1889.

Lee
vs
Simms

Judgment in this case affirming with costs

Grocers et al
vs
The Northern Assurance Company

Judgment in this case affirmed with costs

[illegible] Supreme Court of the United States by an [illegible]
Court under Equity, on the 6th of March last
[illegible] Thursday being the Tenth day of February
[illegible] Court Room [illegible]
now Place.

Present

The Honorable William Paterson.

[illegible] being a sufficient number of Justices to
[illegible] Court, the Court proceeded to the business
[illegible] Term.

Tuesday 8th February 1803

The Court met agreeably to adjournment

Present

The Honorable The Chief Justice

William Paterson
Samuel Chase
Bushrod Washington
} Associate Justices

No business not yet being before the Court
adjourned until to Morrow morning eleven
O'Clock.

Wednesday 9th February 1803

The Court met agreeably to adjournment

Present

The Honorable The Chief Justice

William Paterson
Samuel Chase
Bushrod Washington
} Associate Justices

Monday February 14. 1803

The Court unanimously of opinion

Thomas

the Honorable Phil Barbour Edmd Bates

William Peters
James Black
Richard Wooldridge

Certificate

Wilson Cary
Nicholas
} The Court have the opinion that the Certificate of Commissioners ought to be rejected

Wilson Cary
Nicholas
} Confirmed

Peter Perkins
Thomas Evans
} The Court have the opinion that the Certificate of Commissioners ought to be rejected

The Court of Council will be resumed this day

Tuesday February 15th 1803

The Court unanimously of opinion

The Honorable Thomas Phillips

William Peters
Richard Wooldridge
} Certificate

Have the Certificate of the Commissioners

Report of Court ought not to be received by the

Clerk of Council with Directions to Clerk

Wednesday Morning 18th 1803

The adjournment of the Court was continued to the Court Room from the Parlour of Mrs Hill, as Engineer Room

Present

The Honorable John Marshall Chief Justice

William Patterson
Samuel Chase
Bushrod Washington
} Associate Justices

Robert Ware vs
Fa
Wm Cranch
} The Court have the Record and Mr Lear on behalf of the Plaintiff in Error & Mr Key on behalf of the Defendant

No Cause ordered to be heard this morning

Thursday February 17th 1803

Present

The Honorable John Marshall Chief Justice

William Patterson
Samuel Chase
Bushrod Washington
} Associate Justices

Wm M Clure
Robt Young &c
} Argument of Counsel not Concluded

Wm Cranch
Fa
Robt Ware
} Argument of Counsel not Concluded

Richard Ware
Fa
Wm Cranch
} The Court have not decided on the Motion of the Plaintiff in Error to reverse the Judgment of the Circuit Court

John McCarty
vs
Follows & Mc Cuidy } Judgment of ... with Cos

The United States
vs
Hyde & Young } The Court have Mr Taylor on the part of the Plaintiff & ... for the Defendants

Samuel F Hazell and Catherine Ann Young Executors of this Last will and Testament ... &c

The Court adjourned until to morrow morning 10 O'Clock

Friday February 18th 1803

The Court met agreeably to adjournment

The Honorable the Marshall Elisha Parker

William Paterson
Samuel Chase
Bushrod Washington } Assistant Justices
Alfred Moore

Joseph Forward
vs
Stanton & Lyon } The Court have Mr Morton on behalf of the Plaintiff and Mr Jones on the part of the Defendant

administration of Isaac ... deceased

The Court adjourned until to morrow morning 10 O'Clock

Saturday February 19th 1803

The Court met agreeably to adjournment

Present

The Honorable Sole Alexander Elisha Parker

William Paterson
Samuel Chase
Bushrod Washington } Assistant Justices
Alfred Moore

Plaintiff Complaint
vs
Defendant
The Court Leave Given on the part of the Defendant and not Reply on the part of the Plaintiff

Court Adjourned to meet on Monday next at 9 o'clock A.M.

Monday February 21st 1803

Present
The Honorable John Marshall Chief Justice
William Patterson
Samuel Chase
Bushrod Washington } Assistant Justices
Alfred Moore

Complaint
vs
Leave
The Court Leave to Amend on the part of the Plaintiff on the part of the Defendant

The Court adjourned to meet tomorrow 10 o'Clock

Tuesday February 22nd 1803

The Court met according to adjournment

Present
The Honorable John Marshall Chief Justice
William Patterson
Samuel Chase
Bushrod Washington } Assistant Justices
Alfred Moore

Complaint
vs
Demurrer
The Court have Overruled the Demurrer on the part of the Defendant and Leave given on the part of the Plaintiff to Amend in this Cause

Writ of
vs
Error
The Court have Reversed the Judgment on the part of the Defendant in Error
The Court adjourned

Wednesday February 23rd 1820

The Court not agreeably to adjournment

The Commonwealth
vs
Peter Hawkins Elijah Dixon
Milton Peters
Samuel Shaw
Burkett Washington
Alfred Shaw

Nicholas Wolfe
vs
John Barkhouse

Robert Fulton
vs
William Sherman

The United States
vs
Peter Simms

The United States
vs
John Lewis

Nicholas Wolfe
vs
Stephen Cook

Same
vs
Same

Peter Peters
vs

William Marbury
Plaintiff
vs
James Madison
Secretary of State of the
United States

Rule to show cause why a mandamus should not issue commanding the defendant to deliver to the plaintiff his commission as a justice of the peace for the county of Washington in the District of Columbia.

Thursday December 12th 1801

Marbury
vs
Madison

The Court have not yet decided on the first point in the case, viz whether the plaintiff has a right to the commission which he claims.

Marbury
vs
Madison

The Court have not yet decided on the first point in the case, viz whether the plaintiff has a right to the commission which he claims.

The Court adjourned until to-morrow morning 11 O'Clock.

Friday December 13th 1801

The Court met pursuant to adjournment

Present

The honorable John Marshall Chief Justice
William Patterson
Samuel Chase
Bushrod Washington } Associate Justices
Alfred Moore

Rodgers Fenwick
vs
Nathan and Benjamin Sayre

It is ordered by the Court that the Defendants Attorney do appear and shew cause why an attachment should not issue against him for his contempt in not complying with the rule of this Court made in this cause on the 12th day of December instant commanding him to return the writ of habeas corpus issued in this cause directed to the Sheriff of Middlesex county and to bring the body of Rodgers Fenwick before the Judges of this Court at the time and place in the said writ mentioned.

Wednesday March 8th 1815

[illegible] of the Supreme Court of the United States begun and held at the City of Washington on Monday the 1st day of August in the year of our Lord 1859 and [illegible] to the Statute in such case made and provided Samuel Chase one of the associate Justices of the said Supreme Court and resident of the fourth circuit assigned and the Clerk of the said Supreme Court doth it is ordered by the said Judge that the following entries be made in the following extracts viz,

[illegible]
[illegible] } Continued from last Term
[illegible] } Continued

[illegible] } Continued from last Term
[illegible] } Continued

[illegible] } Continued from last Term
[illegible] } Continued

[illegible] } Continued from last Term
[illegible] } Continued

[illegible] } Continued from last Term
[illegible] } Continued

[illegible] } Continued from last Term
[illegible] } Continued

Monday 9th February 1807

February Term 1803

Adams Exr
vs
Thomas Mumford
Admr of Wm Ed. Mumford

The Court heard Mr Key on the part of the Defendant, and Mr Mason and Mr Swann on the part of the Plaintiff

Hall Executor of Wm Hall
vs
Wm Adam Executor of Wm Adam

The Court heard Mr Dallas on the part of the Plaintiff

The Court adjourned till tomorrow morning 11 O'Clock

Friday 11th February 1803

The Court met pursuant to adjournment.

Present

The Honble John Marshall Chief Justice
William Cranch
Richard Cranch
Robert Brent
Esquires
Associate Justices.

Hamilton Executor
vs
Wm Adam Executor

The Court heard Mr Dallas on the part of the Plaintiff

The Court adjourned till tomorrow morning

February Term 1867

Saturday 1st February 1867

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice

William Cranch
Gabriel Duvall
Samuel Chase
Noah Haywood
Bushrod Washington

} Associate Justices

Hanson Harvey
Jun Exr &c
vs
The Union Insurance
Co of Va

} The Court hears Mr Martin on the part of the Defendant

Hunt and Harvey
vs
The Columbia Insurance
Co

} The Court hears Mr Hunt on the part of the Plaintiffs

The Court adjourns till tomorrow morning
10 o'Clock

Friday 2d February 1867

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice

William Cranch
Gabriel Duvall
Samuel Chase
Noah Haywood
Bushrod Washington

} Associate Justices

February Term 1809

Saturday 11th February 1809

The Court met pursuant to adjournment.

Present

The Honble John Marshall Chief Justice
William Cranch
Samuel Chase
Bushrod Washington
} Associate Justices

Gideon and Thomas Granger
vs
The Postmaster General
} The Court heard Mr Harper and Mr Key on the part of the Defendant

The Court adjourned till Monday morning 11 O'Clock.

Monday 13th February 1809

The Court met pursuant to adjournment.

Present

The Honble John Marshall Chief Justice
William Cranch
Samuel Chase
Bushrod Washington
} Associate Justices

Gideon and Thomas Granger ...
vs
The Postmaster General
} The Court heard Mr Martin on the part of the Defendant

Mr Harper and Mr Key
} Mr Harper and Mr Key argued the cause on the part of the Defendant

Tuesday 21st February 1899.

The Court met pursuant to adjournment.

Present

The Honorable John Marshall Chief Justice
William Lucking
Samuel Clark
Reuben Worthington
} Puisne Judges.

Owing to the indisposition of Judge Clark there are not a sufficient number of Justices to form a quorum the Court is therefore adjourned till tomorrow morning at 11 o'clock.

Wednesday 22nd February 1899.

The Court met pursuant to adjournment.

Present

The Honorable John Marshall Chief Justice
William Lucking
Samuel Clark
Reuben Worthington
} Puisne Judges.

Queen Sovereignty
on
Circuit Court
} The Court having heard the
argument of Counsel on the
rule nisi to show cause why
the verdict should not be set aside
and a new trial granted
the rule is discharging and the verdict is to stand
accordingly that the judgment of the Circuit
Court of the Circuit Court in and for the
District of Savanna-la-mar be affirmed
with costs to be taxed
and certified

February Term 1813

Alexander Murray plaintiff in error
vs
The Schooner Charming Betsy her tackle &c

The Schooner Charming Betsy her tackle &c
vs
Alexander Murray & John Vance claimants

This cause came on to be heard on the transcript of the record of the Circuit Court and was argued by Counsel On consideration whereof it is ordered adjudged and decreed as follows that the Judgment of the Circuit Court in favor of the libellant in the District Court with the restitution of the gold and payment to the claimant of the nett proceeds of the sale of the cargo in the libel mentioned and the costs in the Circuit Court be reversed and annulled and that the libellant pay to the claimant the costs by him expended in the prosecution of his appeal in this Court to be taxed by the Clerk of this Court

Benjamin Pyle
vs
Frederick Lee

Upon the motion of the parties by their attorneys the
decree of this Court heretofore made upon the
petition filed in this cause and this day read and
filed in this Court is ordered to be
further proceeded with and it is further ordered by this
Court that the said Benjamin Pyle
file in this Court within sixty days from this date
his supplemental bill which relates to the
matters referred by the Commissioner to whom
this cause was referred and otherwise
as directed by the decree made in this cause
on the report of the said Commissioner
bearing date the
day of
and that the said Commissioner report the said
further proceedings had before him under
this decree with all convenient speed
after the same shall be completed
and it is further ordered that the
Register of this Court do send a copy of
this decree to the said Commissioner
and that the Clerk of this Court do
issue to the Sheriff of Madison
and Hampden and to such other Sheriff or Sheriffs
as may be required a writ or writs
of subpoena

February Term 1882

[illegible]

[illegible] Plaintiffs in Error
vs
[illegible] Defendants

And on this day came the parties aforesaid by their Counsel and upon the argument of the Writ of Error aforesaid and mature consideration had thereof it is considered by the Court here that the judgment of the Circuit Court of the United States in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest

[illegible] Plaintiffs in Error
vs
[illegible] Defendants

And on this day came the parties aforesaid by their Counsel upon the argument of the Writ of Error aforesaid and mature consideration had thereof it is considered by the Court here that the judgment of the Circuit Court of the United States in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest

[illegible] Plaintiffs in Error
vs
[illegible] Defendants

And on this day came the parties aforesaid by their Counsel upon the argument of the Writ of Error aforesaid

The Court is pleased to take time to consider thereof

Monday 3rd February 1806

The Court not yet ready to give judgment

Adjourned

The Honorable John Marshall Chief Justice
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible] vs
[illegible]
[illegible] } The Court [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible]

February Term 1827

Peter Burdett for Mrs Burdett
vs
John Tait

Mr Law at large stated the arguments & observed on the case as contained in the record. The case in equity from the Circuit Court of the District of Columbia holden in Washington County was brought by the appellee against the appellant to obtain a decree for the conveyance of a lot of ground in the City of Washington which the complainant alleged he had purchased of the defendant and had paid for the same in full. The defendant admitted the purchase but alleged that the complainant had not paid the purchase money according to the terms of the contract and that he had therefore forfeited his right to the lot. The Court decreed a conveyance to the complainant and the defendant appealed to this Court. The only question in the case is whether the circumstances in this case which appear in the record could have arisen from the length of time which has elapsed since the date of the bond. And this Court is of opinion that there is no error in the decree of the Circuit Court and that the same be affirmed with costs.

Alexander Hunter
vs
The United States

Mr Dunn considered his argument in this case.

George Richards
vs
John Tait

It is adjudged ordered and decreed that the judgment of the Circuit Court in this case be affirmed with costs and damages at the rate of ten per centum per annum on the sum in the bond.

George Richards
vs
John Tait

It is adjudged ordered and decreed that the judgment of the Circuit Court in this case be affirmed with costs and damages at the rate of ten per centum per annum on the sum in the bond.

Henry Burleigh
for
John Bird

Henry Burleigh
for
William Bird appellee
v. Thomas Moore

Henry Burleigh
for
William Bird appellee
v. Thomas Moore

Henry Burleigh
for
John Bird

Henry Burleigh
for
John Bird

William Nason Butler
for
The Penobscot Boom Co.
appellee

Saturday 8th February 1840.

The Court met pursuant to Adjournment

Present

The Honorable Sir [illegible]
[illegible]
[illegible]
[

Friday 8 March 1844.

The Court met pursuant to Adjournment.

Present

The Honorable John Marshall Chief Justice
William Gibbons
Samuel Nelson
Henry Baldwin
} Justices of the Supreme Court.

Thomas Lacey Clerk
of
John Marshall Parker
} Examination of the Court in Error in this case and a Certificate ordered to the Circuit Court for the Eastern District of Pennsylvania and Continued.

John R Clarke Jun.
for
Caleb Herbert
} Mr. Hunter concluded his argument in this case.

William Meredith
for
The Mayor &c of Philadelphia
} Mr. Hunter commenced his argument in this case

The Court adjourned this cause over

Monday 3rd March 1845.

The Court met agreeably to Adjournment.

Present

The Honorable John Marshall Chief Justice
William Cranch
Samuel Chase
Gabriel Duvall
Joseph Story
} Associate Justices

William Hunter
vs
The Ship Delaware
& cargo &c
} The Court heard the argument of Mr. Martin and Mr. Harper on their motion.

The Court Adjourned till Monday morning 10 O'Clock.

Monday 3rd March 1845

The Court met agreeably to Adjournment

Present

The Honorable John Marshall Chief Justice
William Cranch
Samuel Chase
Gabriel Duvall
Joseph Story
} Associate Justices

John M. Blanchard
vs
Caleb Allen
} This cause came on to be heard on the transcript of the record of the Circuit Court and was argued by Counsel

On consideration whereof the Court is of opinion that there is error in the proceedings of the Circuit Court in this that the Depositions & Interrogatories to be sent to the Commissioners to take the same and the Commissioners appointment to take the same were not returned to the Court in pursuance of the Act of Congress in such case made and provided and that the Depositions so taken could not be read in the Cause. It is therefore ordered adjudged and decreed that the Judgment of the said Circuit Court be reversed and annulled and that this cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

At a Court of the Supreme Court of the United States begun and held at the City of Washington on Monday the twenty day of [illegible] in the year of our Lord one thousand eight hundred and four pursuant to the Judicial Act of the United States and according to the Provisions of an Act of Congress passed the twenty fourth day of September one thousand seven hundred and eighty nine

Present The Honorable Samuel Chase Esquire Associate Justice of the said Supreme Court and Circuit Judge of the Fourth Circuit and presiding in the Court of the said Supreme Court assigned by the said Judge that the following orders be made Viz.

Ordered

Virginia Kittera
vs
Neale Exr. } Continued to next Term

Ordered

Tarbet
vs
Davis } Continued

Ordered

Talbot Coles
vs
Little Talbot } Continued

Ordered

Christopher Perkins
vs
The Newport Insurance Co } Continued

Ordered

Samuel Beaumont
vs
Daniel Neal } Continued

Ordered

The United States
for
James S. Tilden Esqr
Collector of Blight } Continued

Ordered

Nathan Mundee
vs
[illegible] } Continued

At a Supreme Court of the United States begun and held at the Capitol in the City of Washington on the first Monday being the fourth day of February in the year of our Lord one thousand eight hundred and four, & of the Independence of the United States the twenty eighth.

Present

The honorable William Cushing &
William Paterson } Esq.

there not being a quorum, the Court adjourned till tomorrow morning eleven O'Clock.

Tuesday 5th day of February 1805.

The Court met agreeably to adjournment.

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Samuel Chase
Bushrod Washington } Associate Justices

Stephen Bowers
vs
Thomas Ellis } The Court heard argument in this case. M. Swann for Plaintiff and M. Lee for Defendant.

On motion of Mr. Stephen Charles M. Ware was sworn & admitted to act as a Counsellor of this Court.

The Court adjourned till tomorrow morning next eleven O'Clock.

Wednesday February 4th 1795

The Court met agreeably to adjournment.

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
James Wilson
Samuel Chase
Bushrod Washington
} Associate Justices

[illegible] day appeared and having
[illegible] from the President of the United States
[illegible] him one of the associate Justices
[illegible] the Circuit Court an endorsement
[illegible] by the act of Congress laid
[illegible] his seat accordingly.

[illegible] this cause and was followed
[illegible] on the part of the Defendant.

[illegible] upon this cause and was followed
[illegible] on the part of the Defendant.

[illegible] till to morrow morning eleven
[illegible].

Thursday February 5th 1795

The Court met agreeably to adjournment.

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
} Associate Justices

At a Supreme Court of the United States begun and held at the Capitol in the City of Washington on the first Monday being the fourth day of February in the year of our Lord one thousand eight hundred and five, and of the Independence of the United States the Twenty-ninth

Present

The Honorable William Cushing
William Paterson

There not being a quorum, the Court adjourned to tomorrow morning eleven o'clock.

Tuesday 5th day of February

The Court met according to adjournment

Present

The Honorable John Marshall
William Cushing
William Paterson
Samuel Chase
Bushrod Washington

Bigham & Dundas
vs.
Thomson Ellis

The Court directed the Clerk to enter the case dismissed with costs pursuant to the 14th Rule of this Court.

On motion of Mr. Bigham Edwards of Maryland was admitted to practice as an Attorney of this Court.

The Court adjourned till tomorrow morning eleven o'clock.

1134

The Executive Journal of the Senate under date of March 26,1804, shows the nomination of William Johnson in the place of Alfred Moore; on March 24, the Senate confirmed the Nomination and formal notice was sent the President on March 26,1804, it would therefore suggest the possibility of an error in the day date of Mr. Johnson's commission as shown in the first paragraph of the Minutes of February 6, 1804; it would seem that the date of Mr. Johnson's Commission would more properly be March 26,1804.

[illegible] 7/9/57

Information received from Mr. Veitch Library of Congress

Wednesday February 7th 1805

The Court met agreeably to adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Samuel Chase
Bushrod Washington
} Associate Justices

The honorable William Johnson this day appeared and having produced his Letter Patent from the President of the United States dated 4th March 1804 appointing him one of the associate Justices of the Supreme Court of the United States with an endorsement that the oath of office prescribed by the act of Congress had been duly administered took his seat accordingly

William Cook
vs
William Lamb
} Mr Lee & Mr Jones this cause and was followed by Mr Mason on the part of the Defendant

The United States
vs
Benjamin Stone
} Mr Mason opened this cause and was followed by Mr Jones on the part of the Defendant

The Court adjourned till to morrow morning eleven o'clock

Thursday February 7th 1805

The Court met agreeably to adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
} Associate Justices

Silas Talbot Widow
&
George Talbot Widow } Error to the Circuit Court of Kentucky
and George Talbot the Defendant in
Error Thereon made & filed. Whereupon it is considered by
the Court that the said error be assigned for the reasons
error thereon assigned and that it proceed in every other respect
: standing.

The United States
&
James O Fisher Widow
& Heirs of Elijah } Mr Butler for the Plaintiff

The Court adjourned till tomorrow morning
eleven Oclock.

Friday February 8th 1805.

The Court met agreeably to adjournment.

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
and
William Johnson } Associate Justices.

The United States
&
James O Fisher Widow
& Heirs of Elijah } The Court deny the Motion
for want of the Defendants.

The Court adjourned till tomorrow morning

Saturday February 9th 1805

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cranch
William Patterson
Bushrod Washington
and
William Johnson
} associate Justices

The United States
vs.
James Smith & Jacob Mahler
} The Court heard Mr Swarwell on the part of the Defendants

The Court adjourned till Monday morning eleven Oclock.

Monday February 11th 1805

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cranch
William Patterson
Bushrod Washington
William Johnson
} associate Justices

On motion of Mr J Stephenson Mr William H Fowle was duly admitted an Attorney at Law and Counsellor of this Court.

The United States
vs.
Peter Ely & others
} The Court heard Mr Swarwell in continuation and Mr Key on the

Tuesday February 6th 1805

The Court met pursuant to Adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
William Johnson
} Associate Justices

The United States
on
Samuel Fenderson
} The Court heard Mr Key on the part of the Defendant and Mr Rodney on behalf of the United States

The Court adjourned till tomorrow morning eleven Oclock

Wednesday February 20th 1805

The Court met pursuant to Adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
and
William Johnson
} Associate Justices

On motion of Mr Hopkinson Mr Walter Dunn & Mr James Lloyd were duly admitted as Counsellors of this Court

William Rose
on
Motion
} The Court heard the Motion & granted it

Wheeler
v.
Warrington Esqr

The Court to argue the argument in this case.

Samuel Wheeler
v.
The Boston Marine
Insurance Co

Mr Hallett to open the case.

The Court adjourned till Tomorrow morning eleven oClock.

Monday February 2d 1807

The Court met pursuant to Adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
and
William Johnson
} Associate Justices.

Samuel Wheeler
v.
The Boston Marine
Insurance Co

} The Court heard the argument in this case. Mr Hallett for the Plaintiff and Mr Ingersoll & Mr Wirt for the Defendants

In motion of Mr Hallen Mr Wm Sprague & Mr Hallen Wheeler were admitted and sworn as Counsellors of this Court.

The Court adjourned till Tomorrow morning eleven oClock.

Friday February 16th 1855

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Barbee
William Patterson
Richard Washington
William Johnson
} Associate Justices

Spencer M'Connell
The Boston Marine Insurance Co
} The Court heard further argument in their cases

Rebecca Coffin Plaintiff in Error
John Pinckney Coffin Defendant
} Wm Wirt Johnson opened this cause

The Court adjourned till tomorrow morning eleven O'Clock

Saturday February 17th 1855

The Court met agreeable to adjournment.
Present as above stated.

Rebecca Coffin Plaintiff in Error
John Pinckney Coffin Defendant
Samuel Swan
} The Court heard Wm Wirt Johnson on the part of the Defendant in this cause.

The Court adjourned till Monday morning eleven O'Clock.

Monday February 14th 1825

The Court met agreeably to adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
and
William Johnson
} Associate Justices.

Edmund Jennings
vs
John Ker Executor of Ker
} The Court heard Mr. Scott for the Defendant and Mr. Swann for the Plaintiff in this case.

The Court adjourned till tomorrow morning
eleven O'Clock.

Tuesday February 15th 1825

The Court met agreeably to adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
and
William Johnson
} Associate Justices.

Edmund Jennings
vs
John Ker Executor of Ker
} The Counsel on both sides were heard

the said Circuit Court be and the same is hereby
affirmed to this Court with costs and mandate
and the argument of the Counsel for the said
Plaintiff in Error and of Counsel for the Defendant in Error
Counsel in the presence of the Court that the Decree
in the said cause is in favour of the Defendant which
is ordered to be affirmed to the said Circuit Court.

William Peck
vs
William Coleman } This cause came on to be heard on the Record
from the Circuit Court of the District of Columbia
holden in the Corporation of Washington
Whereupon the said Record and proceedings being inspected
and the argument of Counsel being heard thereupon due
deliberation thereupon had It is adjudged ordered and
decreed that the Decree of the said Circuit Court in the
same is hereby affirmed with costs but that the
Bill of the Complainant be dismissed without prejudice

Gerhard Hyer
vs
Eaire } Mr. Key opens this cause

Stephen Pinckney
vs
Richard Wackley } The Court hears the argument of
this cause Mr. Key for the Plaintiff
and Mr. Pinckney for Defendant.

Fredericksen Hyer
vs
Lange &c } Mr. Pattison opens this cause

Which Day Record and Argument of Counsel this cause
having been considered it is ordered by this Court that
the said Order in the District of Columbia sitting in
Washington aforesaid be affirmed by the Circuit
Court with costs and that the Record be remitted
to the said Circuit Court &c. The Court adjourned till tomorrow morning

Thursday February 20th 1805.

The Court met agreeable to Adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Patterson
Richard Peters
and
William Johnson
} Associate Justices.

Hutchinson Lyles
vs
James Taylor
} The Court Cont[inue]d further argument in this case. Hopkinson & Ingersoll for the Plaint[iff] and Mr. Hall & Dallas for the Defendant.

The Court adjourned till tomorrow morning eleven o'Clock.

Friday February 21st 1805.

The Court met agreeable to Adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Patterson
Bushrod Washington
and
William Johnson
} Associate Justices.

Hutchinson Lyles
vs
James Taylor
} The Court Cont[inue]d the Argument of this cause
The Court & the Defendant in Error
Argument on the part of the Plaintiff

The United States
vs
Isaac N. Parker & Others
Appellants of Writ of Error

This cause came on to be heard on the Transcript from the Circuit Court of the United States in and for the District of Pennsylvania and was argued by Counsel and on mature consideration the same is ordered and decreed that the judgment of the Circuit Court in this case be and the same is hereby reversed and that the cause be remanded to the said Circuit Court for further proceedings agreeably to the order and Decree of this Court. Each party to pay their own costs.

The Court ordered the Clerk to issue a mandate in this cause.

Friday February 22nd 1805.

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
and
William Johnson
} Associate Justices

The United States
vs
The Schooner Betsy
Claim by Nath. Chaumont

This cause came on to be heard on the transcript of the Circuit Court for the District of Pennsylvania and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

Nathan Allen Esq^r
vs
Hunter Jones & others

This cause came on from the Circuit Court of Rockbridge County in chancery and the Judgment of the said Circuit Court is hereby affirmed with costs and damages at the rate of ten per centum per annum including Interest.

Hutchinson Lyle
vs
James Taylor

Mr Lewis omitted the argument in this cause.

The Court adjourned till tomorrow morning eleven Oclock.

Saturday February 23^d 1805

Present the Judges of the Court of Appeals.

The Court met pursuant to adjournment.

Present
The Honorable John Marshall Esq^r Pres^t
William Barbee
William Peters
Robert Pendleton
William Johnson
} Judges of the Court

The United States
vs
Robert T. Hunter &c

Mr Wickham opened this cause and was followed by Mr Call for the Defendant

The Court adjourned till Monday morning eleven Oclock.

Robert Ellmaker
vs
Benjamin Ellis

The cause came on to be heard on the
record of the Circuit Court of Virginia
and was argued by Counsel on consideration whereof
it is ordered & decreed that the said Circuit
Court has not jurisdiction in this cause.

The United States
vs
Robert Ellmaker

The Court has a written argument in
this cause by the Attorney General.

William Hepburn
vs
Mark Ellis

The Court heard Mr. Lee on the part of
the Plaintiff

Benjamin Morton
vs
The United States

Mr. Lee opened the cause.

The Court again rose till tomorrow morning ten o'clock.

Tuesday February 26th 1805

The Court met according to adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Patterson
Bushrod Washington
William Johnson
} Associate Justices

Benjamin Morton
vs
The United States

The Court heard the Attorney General in
this cause. The Attorney General having opened the
question on the part of the United States, the Court
heard Mr. Key for Defendant & Mr.
Duncan for Plaintiff

Wednesday February 9th 1803

The Court met pursuant to adjournment.

Present

The Honorable Johnson Hall Judge of the District
William Cushing
William Patterson
Bushrod Washington } Judges of the Supreme Court.
William Johnson

Baron Du Steinbergen
vs
Jasper Yeates
} From the Circuit Court of the United States for the Third Circuit for the District of Pennsylvania.

1st Point. It is the opinion of this Court that under the 4th Section of the Legislature of Pennsylvania passed the 3d day of April in the year of our Lord one thousand seven hundred and ninety two entitled "An act for the sale of the vacant lands within this Commonwealth" the grantee for a warrant for a Tract of Land lying North and West of the rivers Ohio and Allegheny and Conewango Creek who by force of arms of the enemies of the United States was prevented from settling and improving the said Land and from residing thereon from the Tenth of April one thousand seven hundred and ninety three the time of the said covenant until the first of January one thousand seven hundred and ninety six but who during the said period persisted in his endeavours to make such settlement and residence is excused from making such actual settlement or residence thereon as is in the said Section of the said Law prescribed to such Lands in the said Grantee.

2d Point. It is the opinion of this Court that a warrant for a Tract of Land lying North and West of the rivers Ohio and Allegheny and Conewango Creek granted in the

[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

Robert M'Kenna
vs
John F. Mason

The Plaintiff in Error having failed and not appearing to prosecute his appeal it is ordered by the Court that the said cause be and the same is hereby dismissed with costs.

George M'Kenna
vs
John F. Mason

The Plaintiff in Error having failed and not appearing to prosecute his appeal it is ordered by the Court that the said cause be and the same is hereby dismissed with costs.

Francis Peyton
vs
Richard Brooke

This cause came on to be heard on the transcript of the record of the Circuit Court of Columbia and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the judgment of the said Circuit Court be and the same is hereby affirmed and it is ordered that the plaintiff in Error pay unto the defendant his costs and damages at the rate of six per centum including interest.

Richard Taylor
vs
Price

The Court heard this appeal dismissed in this case.

Abram Pace
vs
Daniel Chenoweth
Executor

This cause came on to be heard on the transcript of the record and was argued by Mr. Lee and Mr. Lee for the Appellant.

The Court adjourned till tomorrow morning ten o'clock

Thursday February 27th 1823

The Court met agreeable to adjournment.
Present
The honorable John Marshall Chief Justice
William Cranch
William Peterson
Bushrod Washington
and
William Johnson
} associate Justices

Wilson Hopson
vs
Mark Pratt
} The Court heard further argument in this cause.

William M. Ben
vs
John Gorman
&c
} [illegible] argument for the [illegible] and continued by Mr Stanley for the Appellant

The Court adjourned till tomorrow morning eleven oClock.

Friday March 1st 1823

The Court met agreeable to adjournment.
Present
The honorable John Marshall Chief Justice
William Cranch
William Peterson
Bushrod Washington
and
William Johnson
} associate Justices

John Marshall appellant
vs
Houden Appellee

This cause came on to be heard on the transcript of the record of the Circuit Court of Virginia and was argued by counsel on motion consideration whereof it is adjudged ordered and decreed that the judgment of the said Circuit Court be and the same is hereby affirmed with costs.

William Nelson
vs
John Cook and Executor

The Court heard further argument in this cause. Mr Simms for the Plaintiff & Mr C. Lee for Plaintiff

The Court adjourned till tomorrow morning eleven o'clock.

Saturday March 6th 1805

The Court met agreeably to adjournment

Present

The honorable John Marshall chief justice
William Cushing
William Paterson
Bushrod Washington
} associate justices

The United States
vs
Benjamin More

This cause came on to be heard on the transcript of the record of the Circuit Court of Kentucky district and was argued by the attorney general and by the counsel for the defendant on the consideration whereof it is adjudged ordered and decreed that the said Circuit

Nelson Higgins
vs
Hunt Swift } This cause came on to be heard on the Transcript of the Record from Alexandria and was argued by Counsel on consideration whereof it is adjudged and decreed that the judgment of the Circuit Court be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including Interest.

Hosea Tarr
vs
Samuel Fitzhugh's Executor } This cause came on to be heard on the Transcript of the Record from Alexandria and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the judgment of the Circuit Court in this cause be and the same is hereby reversed and that the judgment be entered in the Circuit Court for the Plaintiff in the verdict with the costs of this appeal.

Nathan Lee
vs
Nathan Fowler } This cause was regularly argued by Swann & Simms for the Plaintiff & Hopkins Mason & Lee and Fowler for the Defendant.

Marine Insurance
Co of Alexandria
vs
William Hilton } This cause was argued by C. Lee & C. Lee for the Plaintiff Swann & Key for Defendants.

The Court adjourned till Thursday morning eleven O'Clock

Monday March 5th 1827

The Court met agreeably to Adjournment.

Present

The Honorable John Marshall Chief Justice
William Cranch
William Peterkin
Bushrod Washington
} Associate Justices.

Stephen Winchester
vs.
Richard I. Hackley
} This Cause came on to be heard on the Transcript of the Record of the Circuit Court of Virginia and was argued by Counsel on consideration whereof it is adjudged and ordered that the Judgment of the Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including Interest.

Nathan Lord
vs.
Richard I. Hackley
} This cause came on to be heard on the Transcript of the Record from the Circuit Court of the District of Columbia and was argued by Counsel on consideration whereof it is adjudged and ordered that the Judgment of the Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including Interest.

Peter Livingston
vs.
Abraham Hyde
} By the consent of parties by their Counsel this cause is dismissed at the Plaintiffs cost.

Marine Insurance Co
of Alexandria
vs.
William Wilson
} The argument in this cause was concluded

William Murray
} This cause was argued by Mr. [illegible]

Tuesday March 5th 1844

The Court met agreeably to Adjournment

Present

The Honorable John Marshall Chief Justice
William Cranch
William Patterson
and
Buckner Harrington } Assistant Justices

The Marine Insurance
Co of Alexandria
vs
William Wilson } This cause came on to be heard on the Transcript of the Record of the Circuit Court of Columbia sitting in Alexandria and was argued by Counsel on consideration whereof it is ordered by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and remanded at the rate of six per cent per annum including Interest

William Phillips &c
vs
Lewis Phillips } The Court dismiss the Writ of Error in this cause

Richard H Wallach
vs
Lewis Deaver
and
Lewis Deaver
vs
Richard H Wallach } This cause was argued by Key for the Plaintiff and Webster for the defendant

Peyton Carter
vs
William Ferguson
&c } This cause stands over

The Court dismiss the Writ of Error in this cause

Saturday March 8th 1800

The Court not being ready to give their opinion
in the cases of
The Commonwealth of Virginia
for the use of William Barbour &c
against
William Richards
and
Richard Washington
and
The Commonwealth of Virginia
for the use of William Barbour &c
against
William Richards
and
Richard Washington

William Wilson
vs
John Coleman and Co.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Virginia and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the Judgment of the Circuit Court in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including Interest.

William Million Adm.
of David Million deceased
Martin & Clark Million
vs
John Million & Martha
Fair Legatees

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Georgia and the same being maturely considered and debated on the part of the Appellants being heard the Court are of opinion that the said Circuit Court erred in not overruling the Plea of the Defendant in the Court below pleaded and decreed that the Decree of the said Circuit Court be and the same is hereby reversed with the costs of this Appeal and that further adjudged ordered and decreed that the said Circuit Court do overrule the Plea of the Defendant and do enter and decree the said Defendant to answer the Bill exhibited against him and that the cause be remanded to the said Circuit Court for the purposes aforesaid and

Richard H. Wallach
Jacob Barnes
vs
George Mandeville Willis

This cause came on to be heard on the Transcript of the Record of the Court for the County of Washington and on Motion of the said Jacob Barnes and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the said Court for the want of Jurisdiction and the writ of error for the said County of Washington in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the judgment of the said Court

Stephen Cooke . . .
vs
William Jordan Mott

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Columbia sitting in Alexandria and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the judgment of the said Circuit Court be and the same is hereby reversed with cost and judgment is directed to be rendered for the Defendant in the said Circuit Court and this cause is ordered to be remanded accordingly

Charles Jones
vs
Samuel Love Esq

Per curiam dismissed with costs on motion of the Counsel for the Appellant

Edward Dyer Executor
vs
The United States

Continued

The United States
vs
Francis W. Armstrong

Continued

Continued

William Steele
to
Kennedy King } Continued

George Frenchs Est
to
Wm Hardy Johnston } Continued

Daniel Garrett
to
John Jeremiah Taylor } Continued

David Mercer Witter
to
Lucinda Pinckard Witter } Continued

William Baddeson
to
Robert Kirk } Continued

The united States
to
William Hall } Continued

James Gordon Witter
to
Alexander Barbaugh Witter } Continued

Same
to
Same } Continued

Mary Ann Hayden
to
Wm Barbaugh Witter } Continued

The Supreme Court of the United States began and held
at the City of Washington on the first Monday being
the [illegible] day of January in the year of our Lord one
thousand eight hundred and nine agreeably to the statute
in such case made and provided. Present the Hon. one of
the Associate Justices of the said Supreme Court and
President of the fourth Circuit now present and the
Clerk of the said Supreme Court attending. It is
ordered by the said Judge now here that a Mandate
issue the following entries be made, viz.

Christopher Lyman ... | Continued.
vs.
The Merchants Insurance Co.

The United States ... | Continued
vs.
Edmund P. Pendleton & Stephen D. Beaumont

Nathan Ramsay ... | Continued
vs.
Russell Cox ...

Thomas Thompson & Wife ... | Continued
vs.
John Mullen Nielson

Isaac Bernard & Another ... | Continued
vs.
John Murray ...

Same ... | Continued
vs.
[illegible]

James Gordon & others
vs
Wm. Cabell & others } Gen. Ct.

Same
vs
Same } Gen. Ct.

Wm. Wyatt & others
vs
Same } Gen. Ct.

Benjamin Watt's Exr.
vs
Elizabeth Evans } Gen. Ct. filed 18th Aug. 1800

John Bacon
vs
John M. Gaskins } Gen. Ct. 20th

Peyton Randolph adm.
vs
Wm. Call & wife & Fauntleroy } Gen. Ct. 1st Aug.

Wm. Hopkins surviving partner of
Wm. Bowman & Co.
vs
David Bell's Exr. } Gen. Ct.

Jonathan Fabian & others
vs
James Allen & others } Gen. Ct. 2.

Nathan Field & others
vs
Wm. Walton & others } Gen. Ct.

William L. Blair
vs
Theophilact Bache & others } Gen. Ct. 3.

VOLUME

B

The Supreme Court of the United States commenced holden at the Capitol in the City of Washington on the first Monday of February in the year of our Lord one thousand eight hundred and two.

Present

The Honorable John Marshall Chief Justice
William Paterson
Bushrod Washington } Associate Justices

There not being a sufficient number of Justices to form a quorum the Court is adjourned till tomorrow morning eleven O'Clock.

Tuesday February 4th 1802.

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice
William Paterson
Bushrod Washington } Associate Justices

There not being a sufficient number of Justices to form a quorum the Court is adjourned till tomorrow morning eleven Oclock.

Wednesday February 5th 1802.

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice
William Paterson
Bushrod Washington } Associate Justices

There not being a sufficient number of Justices to form a

Thursday February 6th 1806

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
William Paterson }
Bushrod Washington } Associate Justices

There not being a sufficient number of Justices to form a quorum
the Court is adjourned till tomorrow morning eleven O'Clock.

Friday February 7th 1806

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
William Paterson }
Bushrod Washington } Associate Justices.

There not being a sufficient number of Justices to form a quorum
the Court is adjourned till tomorrow morning eleven O'Clock.

Saturday February 8th 1806

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Paterson
Bushrod Washington } Associate Justices
William Johnson

the motions of Caleb Wallace Esqr. & Charles Simms Esqr. to be admitted
Counsellors and Attorneys of this Court, severally were severally granted
and they were accordingly admitted Counsellors & Attorneys of this Court.

The Court thereupon called over the Docket and the following

February Session 1808

Supreme Court of the United States

The Honorable John Marshall Chief Justice
William Paterson
Bushrod Washington &
William Johnson
} Associate Justices.

In the Commonwealth of Kentucky a Writ of Error was prayed to this Court from the Decision of the Courts of that State in the case of Hunter's Lessee against Martin, but the Record not being returned, no Counsel appeared for the Plaintiff in Error, and the Writ was dismissed with Costs according to Law.

James Hunter's Lessee
vs
The Executor of Fairfax

Mr. Lee and Mr. Key for the Plaintiff in Error
Mr. Attorney General for the Defendant
(Judgment reversed see p. 15)

William Fairfax
vs
Denny Martin

Mr. Harper shews the Record no counsel appeared for the Defendant in Error continuance for four terms ordered.

James Winchester
vs
Samuel Graham &
John B. Evans

Jno. Evans and Henry Hawkins by Mr. Harper their attorney appeared in this case suggested the death of John Graham and filed letters of Administration granted to them, and prayed to be let in their appearance as Defendants, which was ordered accordingly.

Adam Hoops
vs
Gerrit Fee

Mr. Key opened this cause on the part of the Plaintiff in Error and was followed by Mr. Harper for the Defendant
(Judgment affirmed see p. 15)

John Fenwick's Lessee
vs
John Mercer

Mr. Harper shews for the Plaintiff in Error that the Record of the Court below does not contain the Deed from the Commissioners of Loudoun County to the Lessor of the Plaintiff which was done according to the Act of Assembly of Virginia and prays that the Record may be sent back for amendment. Mr. Jones for the Defendant in Error opposes the motion. The Court are of opinion that the Record ought to be sent back for amendment and it is accordingly ordered to be sent back for amendment.

John Fenwick's Lessee
vs
Gerrit Fee

Same proceedings and entry

Saturday February 7th 1807

The Court not agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cranch
Bushrod Washington
William Johnson
} associate Justices

The Court proceed to the argument in these cases

Wednesday February 11th 1807

The Court not agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cranch
Bushrod Washington
William Johnson
} associate Justices

Mr Attorney General and the Counsel in the cases on the docket attending

The Court proceed to the argument in these cases

The cause continued for the advisement of the Court

Thursday February 13th 1806

The Court met agreeable to adjournment.

Present

The Honorable [illegible]

[illegible]

[illegible]

[

[illegible] Simms & Otis
Wise Jun.
Thomas Swann as Exr
of Charles Lorrain

This cause was argued by Mr. [illegible]
Mr. Lee for the Plaintiff and
Mr. Swann for Defendant. [illegible]

Abram Faw
&
Ordmandes Marshall
admr. of Relph

This cause was argued by Mr. Lee & Mr.
[illegible]
for Defendant (see f. 18)

Wm. Miles Harris
&
Dennis M. Johnstone

This cause was argued by Mr. Lee & Mr.
[illegible]
E. J. Lee for Defendant. (See f. 19.

The Court adjourned till tomorrow morning eleven O'Clock.

Monday February 15th 1836

The Court met pursuant to adjournment.

Present

The Honorable John Marshall Chief Justice.
William Paterson
Joseph Story
Gabriel Duvall
William Johnson
} Associate Justices

John Brown Esr
&
William Lowndes Esr

This cause was argued by Mr. Lee for
the Plaintiff and Mr. Swann for the
Defendant (see f. 9

Charles Carroll
&
Jos. Mc Candless

This cause was argued by Mr. Jones and
Mr. [illegible] for the Plaintiff and Mr. Key
[illegible] Mr. Lee for the Defendant

The Court adjourned till Monday morning
eleven O'Clock.

Monday January 9th 1786

Ordered that the Sheriff of Hunterdon county

Present

The honorable John Marshall Esqr Chief Justice
William Paterson
Bushrod Washington } Esquires Justices
William Patterson

Peter Allen
vs
Hercules Courtenay } Ordered that the Defendant plead to issue in this cause in twenty days or Judgment by default.

Peter Stein Jacob
vs
John Stothoff } This cause was argued by Mr. Lee for the Plaintiff and Mr. Lee for the Defendant. (See p. 28)

The Court adjourned till tomorrow morning eleven o'Clock

Tuesday February 14th 1786

The Court met agreeable to adjournment.

Present.

The honorable John Marshall Chief Justice
William Paterson
Bushrod Washington } Justices
William Patterson

Peter Allen
vs
Hercules Courtenay } Mr. Lee and Mr. Martin appeared for the defendant on a motion to discharge the writ of error which was ordered. (See p. 16)

The United States
vs
George Grundy
Ralph Hamilton } This cause was argued by the Attorney General for the United States and Mr. Martin for the defendant.

The Court adjourned till tomorrow morning eleven o'Clock.

Thursday February 19th 1806.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} absent Justices

Nicholas Fiske
vs
George Grundy & Joseph Woodward
} The argument in this case was continued by Mr Key on the part of the defendants & Mr Hall for the Plaintiffs

Nathan Field & others
vs
William Milton & others
} Mr Pinkney moved for the Writ of mandate to the Judges of the Circuit Court for the District of Pennsylvania to send up the depositions which were taken in this case and moved for a certiorari which was ordered accordingly.

The Marine Insurance Co. of Alexandria
vs
John & James A. Fowler
} Mr Key argued the cause

The Court adjourned till tomorrow morning eleven O'Clock

Friday February 20th 1806.

The Court met agreeably to adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} absent Justices

Monday February 22d 1796.

The Court met pursuant to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} associate Justices.

Samuel Dick &c.
vs
Samuel Purviance

Error to the District Court of Virginia
Lee & Key for the Plaintiffs in Error
Martin & Hindman for the Defendants.

The Court adjourned till Monday morning eleven O'Clock.

Monday February 29th 1796.

The Court met pursuant to adjournment.

Present.

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
William Johnson
} associate Justices.

Samuel Grant
vs
John Fremont Exor

This cause was argued by Mr Hindman for the Plaintiff & Mr Hopkins for the Defendants.

The Court adjourned till tomorrow morning eleven O'Clock.

Tuesday February 30th 1796.

The Court met pursuant to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
William Johnson
} associate Justices.

Commonwealth
vs
The Commissioners

Mr Lowell opened the argument in behalf of the Commissioners

Wilson & Others
vs
Theophilus Bache & Others

The argument continued on the part of the Defendants there being no Counsel for the Plaintiffs.

John Taylor
vs
Thomas Bodley & Others

Mr Taylor opened this cause.

The Court adjourned till tomorrow morning eleven O'Clock.

Wednesday February 26th 1806.

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} associate Justices.

John Taylor
vs
Thomas Bodley & Others

The argument was continued by Mr Taylor and by Mr Hughes for the Defendants.

The Court adjourned till tomorrow morning eleven O'Clock.

Thursday February 27th 1806.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} associate Justices

John Taylor
vs
Thomas Bodley & others

Mr Hughes continued the argument in this cause.

The Court adjourned till tomorrow morning ten O'clock

Friday February 28th 1806

The Court met agreeably to Adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} Associate Justices

John Taylor
vs
Thomas Lee
} Mr Key concluded the argument in this case.

William Buckhannon
vs
Robert Kirk
} This cause was argued by Mr Lee for the Plaintiff & Mr Simms for the Defendt
(see p. 21)

The Court adjourned till Monday morning ten O'Clock

Monday March 3d 1806

The Court met agreeably to adjournment

Present

The honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} Associate Justices

Lunsford Lyle Lessee
Executors of Peter Bowman dec'd
vs
Henry Hull Exr of Jno Arnold
} Mr Lee argued this cause for the Plaintiff in error and Mr Key for the Defendant in Error

William Maley
vs
Isaac Shelby
& Al. Executors
} This cause was argued by Mr Hopkins for the Plaintiff in Error & Mr Morton & Martin D. Hardin for the Defendt
(see p. 21)

The Court adjourned till Monday morning eleven

Monday March 3d 1806.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} Associate Justices

John L. Cogdell of South Carolina was duly admitted and sworn as a Counsellor and Attorney of this Court.

On motion of Mr Hopkinson leave is granted to amend the Judgment in this cause & the mandate to issue accordingly

Rule to show cause
vs
Thomas Pascoe Admr
} This cause was argued by Mr Rawle for the Plaintiff and Mr Lee for the Defendant (see p. 24)

Gorham Parmer
vs
Thomas Parmer deceased with the will annexed
} This cause was argued by Mr D. B. Ogden for the Plaintiff in Error Mr Dagnal for the Defendant (see p. 24)

William Marshall Admr
of Peyton Randolph
vs
John T. Ware Esq & William Jones surviving partners of Paul & Jones
} This cause was argued by Mr C Lee for the Plaintiff & Mr Ingersoll for the Defendants

The Court adjourned till tomorrow morning eleven oClock.

Tuesday March 4th 1806

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
William Paterson
Bushrod Washington
William Johnson
} Associate Justices

John A Campbell having been brought up by habeas corpus and the cause of his commitment & detainer by the Marshal returned for that purpose & the Court having heard the arguments of Mr Hiort and Mr Swann on this motion for his discharge, It is ordered that the said John A Campbell be released from his imprisonment.

William Lee Rodd Esqr
J Peyton Randolph
&
John F Ware Esqr Joint
Executors of David Jones

} The argument in this case was concluded on Saturday 24th

The Court adjourned till tomorrow morning eleven O'Clock

Wednesday March 5th 1806.

The Court met agreeably to adjournment.

Present

The Honorable William Cushing
William Patterson
Samuel Chase
Bushrod Washington
Alfred Moore

} Justices of the Supreme Court

William L. Blair . . .
&
Richard Parker Waller

} On motion of the Plaintiff's the Court opened the cause and heard his argument.

The Clerk presented to the Court an account against the United States amounting to $205.34 which on examination was allowed by the Court.

John Bacon
vs
[illegible]

This cause is dismissed by order of Mr. Hudson of Counsel for the [illegible]

James Bathurst &c
John Hooker
vs
The United States

This cause came on to be heard on the record and proceedings of the District Court of Kentucke, whereupon the argument of Counsel being heard, and mature deliberation thereon had. It is adjudged ordered and decreed that the [illegible] of the said District Court be and the same is hereby reversed.

February 10th

William Hamay
vs
Arnold Rue

This cause came on to be heard on the record and proceedings of the District Court by Appeal whereupon the arguments of Counsel being heard and mature deliberation thereupon had It was adjudged ordered and Decreed that the Decree of the said Circuit Court be and the same is hereby affirmed with costs.

February 13th

Sarah Selsby & others
vs
Thomas Young and
Enoch Selsby

This cause came on to be heard on the Bill answer Exhibits and the Testimony in the cause and was argued by Counsel on consideration whereof this Court is of opinion that there is error in the Decree of the Circuit Court in dismissing the Bill of the Complainants to be dismissed and that the same ought to be reversed and annulled and this Court doth further direct and order that the said cause be remanded to the Circuit Court that accounts may be taken of the goods which came to the hands of the Defendant Thomas Young of the Complainants which have been made to Enoch Selsby and the [illegible] and are due to the said Complainants and of such other matters as may be necessary to a final Decree and that the Complainants be allowed

James Strawbridge
&c Pltffs
vs
Rebecca Curtis &
others

On examination of the Record and proceedings in this case
it is ordered & decreed that the said cause be
remanded, it not appearing to this Court that the
Circuit Court had jurisdiction, and that the Defendants
be allowed their costs. February 13th

James Gordon &
Archibald M'Laddan
Surviving partners of Gold
& Gordon
vs
Alexander Caldclough
& others

(see p. 52. amended Decree)

On examination of the Record and proceedings in this
cause and the arguments of Counsel thereon had it is
adjudged ordered & decreed that the decree of the
Circuit Court of South Carolina in the said cause
be hereby reversed, it not appearing to this Court that
the said Circuit Court had jurisdiction in this
cause and that the Plaintiffs be allowed their costs
February 13th

10

James Gordon
&
Archibald M'Laddan
vs
Alexander Caldclough
& others

On examination of the Record and proceedings in this
cause and the arguments of Counsel thereon had it is ordered
& decreed that the decree of the Circuit Court of South
Carolina in the said cause be reversed it not appearing
to this Court that the said Circuit Court had jurisdiction
in this cause and that the Plaintiffs be allowed their costs
February 13th

Robert Hazlehurst &
Gilbert Jackson
Surviving partners of
Muir & Boyd
vs
Alexander Caldclough
& others

On examination of the Record and proceedings in this
cause and the arguments of Counsel thereon had it is ordered
& decreed that the decree of the Circuit Court
of South Carolina in the said cause be reversed it not
appearing to this Court that the said Circuit Court
had jurisdiction in this cause and that the Plaintiffs be
allowed their costs. February 13th

Martin M'Dermott
vs
Edward Taylor & others

This cause came on to be heard on the Bill answers &
Exhibits Testimony taken in the cause and was argued by
Counsel on consideration whereof the Court are of opinion that there is no error
in the decree of the Circuit Court of Kentucky in the

to recover against the Plaintiff Robert Cole the sum of four hundred acres of land heretofore granted to the Defendant out of the warrant & survey in the said Deeds mentioned & in the said Deeds set forth as it appears by the record of this Court & thereupon the said Plaintiff prayed a writ of Error to the Judgment aforesaid & the Plaintiff in Error might be restored to all the lands & tenements by the Defendant in Error recovered by the said Decree and to obtain damages in lieu of lands and tenements to the value of Thirteen pounds per hundred acres of land in the said Deeds mentioned as the lands & tenements which the Defendant in Error had covenanted & contracted to convey to the Plaintiff in Error by the said Deeds & which he refused to convey as by the said Decree appears which said Writ of Error is now returned into this Court & the said Decree being read & maturely considered it is the opinion of this Court that there is error in the said Decree in this that the Court of Chancery did not decree to the Plaintiff in Error all the lands offered by the Defendant in Error in the said Deeds and to obtain damages in lieu of lands and tenements to the value of Thirteen pounds per hundred acres of land in the said Deeds mentioned as the lands & tenements which the Defendant in Error had covenanted & contracted to convey to the Plaintiff in Error by the said Deeds & which he refused to convey as by the said Decree appears & that the Decree ought to be allowed in this respect. The cause is therefore remanded to the District Court of Kentucky with instruction to direct an issue if the same shall be required by the Plaintiff in order to ascertain the damages to which he is entitled on account of the inability of the Defendant to convey lands on Wimpleton fork of Licking as described in his contracts in the preambles mentions. And if the Plaintiff shall require an issue a Decree is to be rendered for such damages as a Jury shall award the verdict being as to his bottom to the Plaintiff in lieu of the lands to which he is entitled & that the Plaintiff be allowed his costs.

February 14th

Tim Nelson & James Scott

This cause came on to be heard on the Transcript of the record of the proceedings of the Court of Chancery for the District of Kentucky and was argued by Counsel on consideration whereof it seems to the Court that there is error in the judgment of the District Court in this that the Decree ordered by the Plaintiff was evidently discretionary and should it ought to have been decreed on oath agreeable to the contract that part of the lands which was claimed by the Plaintiff under the survey of four hundred acres. It is therefore considered by the Court that the said decree be reversed and annulled and that the Defendant pay to the Plaintiff his costs. And the cause is remanded for further proceedings

February Term 1808.

Abram Shaw
&
Thomas Swann Executor
of Richd Swann

This cause came on to be heard on the Transcript of the Record & proceedings of the Circuit Court of the District of Columbia for Alexandria County and was argued by Counsel, On consideration whereof it is adjudged ordered and decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs

February 15th

William Douglass &
Joseph Mandeville
&
Wm. Hallowell

This cause came on to be heard on the Transcript of the Record & proceedings of the Circuit Court of the District of Columbia for Alexandria County & was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs

February 17th

James Winchester
&
Samuel Jackson &
Jonathan Jones & Henry
Hamilton - Executors
of John B Coxe dec'd

On examination of the Record & proceedings in this cause It is adjudged ordered and decreed that the same be dismissed as not appearing to this Court that the District Court of West Tennessee has jurisdiction in this cause, and that the said Defendants be allowed their costs

February 17th

John Allen - - -
&
Hercules Courtenay

It is adjudged ordered and decreed that the writ of error in this case be and the same is hereby dismissed with the costs of the writ of Error.

Feby. 8th

Hercules Courtenay
&
John Allen

It is ordered by the Court that the writ of error in this case be & the same is hereby dismissed for want of prosecution & that the Defendant in error recover of the Plaintiff the costs of the Record and the costs below

Feby 8th

[illegible]

[illegible]

This cause came on to be heard on the Transcript of the Record of proceedings of the Circuit Court of [illegible] and was argued by Counsel on consideration whereof It is adjudged ordered and Decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed and that the Appellant pay the costs

February 26th

[illegible]

This cause came on to be heard on the Transcript of the Record of proceedings of the Circuit Court of [illegible] and was argued by Counsel on consideration whereof It is adjudged ordered and Decreed that the judgment of the said Circuit Court be and the same is hereby reversed with costs and that the said cause be remanded to the said Circuit Court for further proceedings

Theophilus Harris & Daniel M. Johnston

This cause came on to be heard on the Transcript of the Record of proceedings of the Circuit Court of [illegible] and was argued by Counsel on consideration whereof It is adjudged and Decreed that the judgment of the said Circuit Court be and the same is hereby reversed with costs and that the said cause be remanded to the said Circuit Court for further proceedings

February 26th

[illegible]

This cause came on to be heard on the Record from the Circuit Court of [illegible] and was argued by Counsel on consideration whereof It is adjudged and Decreed that the judgment of the said Circuit Court be and the same is hereby affirmed with costs

February 26th

Harker Gott
&
Rezin Wootton

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia for Washington County and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the judgment of the said Circuit Court be and the same is hereby reversed with costs and that the said cause be remanded for further proceedings &c.

February 19th

Peter Hine Junr.
&
John Dickens

This cause came on to be heard on the Transcript of the Record of proceedings of the Circuit Court of the District of Columbia for Washington County and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the judgment of the said Circuit Court be and the same is hereby reversed with costs, and that the said cause be remanded for further proceedings &c.

The United States
&
George Sweeny &
Joseph Thornburgh

This cause came on to be heard on the Transcript of the Record of proceedings of the Circuit Court of Maryland and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the judgment of the said Circuit Court be and the same is hereby affirmed.

February 22d

The United States
&
William Heath

upon the question on this cause, agreed to this Court from the Circuit Court for Virginia concerning the construction of the act of Congress entitled an act supplementary to an act entitled an act to establish the Custom-houses, the officers employed in the collection of the duties on imports & tonnage [illegible] on the tenth day of May 1800 &c.

"Whether the Collector was restricted to a subscription of three and "an half per cent on any or all of the monies collected and received by him "after the thirtieth day of June in the year 1800 on account of bonds procured to "be taken for duties arising on goods wares & merchandize imported into the "United States." It is ordered by the Court that the commissions of three and an half per cent is to be restricted to monies received by the Collector of Petersburgh on account of the duties arising on goods wares and merchandize which were imported after the thirtieth day of June in the year 1800.

[illegible]

William Buckhannon
vs
Richard Parish

This cause came on to be heard on the transcript of the Record of proceedings had in the Circuit Court of the District of Columbia for Washington County and was argued by Counsel on consideration whereof it is ordered and decreed that the judgment of the said Circuit Court be and the same is hereby affirmed with costs.

A Macrae Clk

William Malay
vs
Jacob Shattuck
&
Same
vs
Richard Parish

This cause came on to be heard on the transcript of the record of proceedings had in the Circuit Court of the District of Columbia for Washington County and was argued by Counsel on consideration whereof the Court is of opinion that the decree of the Circuit Court is erroneous in so far as it dismisses the libellant's claim for damages for the detention of the vessel and the money by the decree and which awards the charges of restitution on account of the evidence attending the application to the government of the United States and of $ 6.50 dollars on account of evidence at Newcastle on the unfinished attempt which was made to prosecute an appeal in England. In these respects the account is to be reformed for which purpose so much of the decree of the Circuit Court as rests this part of the subject is reversed, and the cause is remanded to the Circuit Court to be further proceeded in as to justice and right appertain. Each party to pay their own costs in this Court. And afterwards the following agreement was filed and by consent of parties by their Counsel was made a part of the decree and decree of this Court, viz

"It is agreed in these cases that the account stated on the other side is correct according to the decree of this Court in these cases rendered; and that a final Decree be made by this Court awarding to the Libellant the said Jacob Shattuck the sum of $ 33864 25/100 by the said William Malay in full for damages and restitution in these cases decreed.

John Breckenridge of Counsel for Malay
Rob.G. Harper of Counsel for
Jacob Shattuck

Esther D. Fabian &
John Elliot Executors of
Jonathan Elliot dec'd
vs
Jesse Otis &
others

It is agreed that the decree of the Circuit Court in this cause be reversed & that this cause be remanded with costs on the following terms—

1. The negroes mentioned in the Decree, their issue & increase shall be and are admitted to be the property of the Complainants the Defendants in error but the delivery to the Defendants in error shall be postponed and shall take place on the 1st day of January 1825 at the election of the Defendants the Plaintiffs in error which election shall be made when the same shall be demanded to be made by the original Complainants, their agent Solicitor or Attorney—
2. If the election to postpone the delivery be not so made when demanded the Decree of the Circuit Court as to the negroes shall from that time stand affirmed absolutely and without condition—
3. It is agreed that the plaintiffs in error shall allow and pay to the Complainants the Defendants in error for the hire of the negroes for the year 1825 at & after the rate of Sixty dollars p annum for each working hand the amount of them to be settled by the Clerk of the Circuit Court and to be paid on the 8th March 1826 with Interest from the day the Decree of the Circuit Court at the rate of 8 p Cent p annum—
4. If the Defendants the Plaintiffs in error should elect as above mentioned to retain the negroes till Jany 1st 1825 they shall allow and pay to the Complainants the Defendants in error hire for their working negroes for the year 1825 at the same rate with the like Interest and to be settled in the same manner as is mentioned in the next preceeding article and to be paid on the 1st day of March 1826—
5. If they should not elect as above mentioned to retain the negroes they shall deliver them up to the Complainants the Defendants in error on the 1st day of January 1825 when they shall be demanded as aforesaid and shall allow & pay immediately prior to the delivery hire till the time of such delivery at the same rate and to be settled in the same manner as above provided—

2. Justice of the payment was levied on the three said notes which
   and to make the time the same as on the same as on
   and that the balance of the said [illegible] from the
   day of payment.

3. Ordered that the commissioner for the City of Richmond
   the said recorders to the principles established in the Report
   of the Second Auditor of the said Commonwealth dated the 10th
   March 1865 the said Circuit Court and shall be directed into two
   equal parts one of which shall be paid on the 1st March 1867
   with interest at the rate of 6 per cent per annum from the 1st day of
   the January the Circuit Court till paid, and the other on the 1st
   March 1868 with like interest from the same time till paid.

4. The costs in this cause in the said Circuit Court shall be paid out
   of assets.

5. This agreement shall be made a part of the decree in the
   cause and the defendants answer shall be entitled to
   the like remedy for enforcing each and every part of it as
   such part shall be entitled as may by law or the usages
   in cases of this nature of the Circuit Court aforesaid by the Court.
   And there to come the full protection of rights in this case
   future effects as they arise.

March 3d

William Lucas's
Executors &c
Complainants
v
Samuel Cummins's
Executors &c
Defendants

This cause came on to be heard on the transcript of
the record of the proceedings of the Circuit Court of the United
States for the District of Columbia for the County of Alexandria
and was argued by Counsel on consideration whereof it is
ordered and decreed that the judgment of the said Circuit
Court be and the same is hereby reversed with costs, and that
the said cause be remanded to the said Circuit Court for further
proceedings to be had therein to make further answer
to the Declaration of the Plaintiffs.

March 3d

Marine Insurance
Co of Alexandria
v
Wm & James H Tucker

This cause came on to be heard on the transcript of
the record of the Circuit Court of the United States for the District
of Columbia for the County of Alexandria and was argued by Counsel on
consideration whereof it is ordered and decreed that the
said Circuit Court be and the same is hereby affirmed with costs and damages at the
rate of one per centum per annum on the sum found by the

James Marshall Exec'r of Thomas Marshall dec'd
vs
Thomas Hall Exec'r of Robert Hall dec'd

Upon the question on this case agreed to be certified from the Circuit Court of Virginia — "Whether the Act of Assembly for the Confiscation of certain debts due to British Subjects was under all the circumstances stated a Bar to the Plaintiffs demand against the Defendant for principal money with interest on a promissory note given on the 21st day of August 1774." It is considered by this Court that the said circumstances is not a bar to the Plaintiffs demand on said note. And this Court is of opinion that the length of time from the giving the note to the commencement of the war in A.D. 1776 not being sufficient to bar the demand on said note according to said Act of Assembly the treaty of Peace between Great Britain and the United States of A.D. 1783 does not extend or admit the time prescribed by the said Act of Assembly subsequent to the said Treaty in order to make a bar. And is also of opinion that the agent merely for the purpose of collecting debts mentioned and described in said Act of Assembly is not to be considered as a factor within the meaning of said Act of Assembly so as to bring the case within the provisions of said Act. But this Court is not to be understood as giving any opinion on the construction of the note as to the time of payment. March 24th

James Lawrason
vs
William Mason, Thompson Mason & John Mason Exrs of Thomson Mason dec'd

This cause came on to be heard on the Transcript of the Record of proceedings of the Circuit Court of the District of Columbia and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs. March 24th

February Term 1856.

Joshua Sands
ff
Thomas Knox adm.
&c.

This cause came on to be heard on the Trans-
cript of the Record of proceedings of the Court
of Chancery for the District of Maryland and
was argued by Counsel on consideration whereof
it is adjudged ordered and decreed that the
Decree of the said Court of Chancery in the
Proceedings mentioned be and the same is
hereby affirmed with
costs and damages at the rate of six
centum per annum, including interest.

William Randolph
adm. with the will ann.
and of Peyton Randolph
dec.
vs.
John Hartwell Cocke
and Others

This cause came on to be heard on the
Exhibits and Testimony taken in the cause, and was
argued by Counsel on consideration whereof it is adjudged
ordered and decreed that the decree
of the said Court of Chancery in the said cause be
affirmed with costs.
March 5th

Richard H. Adams
ff
Theophilus A. Bache
& others.

This cause came on to be heard on the Record
herein, Exhibits and Testimony and was fully argued
on consideration whereof, It is adjudged, ordered and
Decreed that the Decree of the Circuit Court of Berkeley
County in this cause is affirmed with costs.
March 5th

Continued.

Christopher Fitzsimons
ff
[illegible]
vs.
[illegible]
[illegible]
ff
[illegible]
vs.
[illegible]
ff
[illegible]

Jean Pierre F. Hautelet
et
Sophie Murray } Contd

Anne
et
Charles Gilbert } Contd

Rebecca C. M. Burns
et
Samuel Cartwright } Contd

Thomas Mann
et
The Rt Hon. Robt Earl } Contd

William Caudle
et
Thomas Jones } Contd

Theodore Gaillard
Esqr et
Samuel Mathews } Contd

Richard Jennings
et
Joseph Carson Esqr } Contd

The United States
et
Billings & Francis } Contd

Frederick Cobbs
et
Lucinda Cobbs
et al. } Contd

Baron Jan Huidekoper
Lodde et
James Douglas } Contd

William Arcale
et
Ann Mary Long } Contd

Geo. Pinckney Esqr
et
The Bank of Columbia } Contd

Daniel Grant
et
John & Jeremiah Mather } Contd

Lewis Samuel Cotheal
et
Lucinda Brickwood et Ux } Contd

Benjamin Carter Esqr
et
[illegible] } Contd

Rule

It is ordered that a rule be entered on the Clerk of this Court
before the tenth day of a term, which shall be considered as part of
the course of that Term. Where the Record shall be delivered on
the tenth day of the Term, either party will be entitled to a continuance.

In all cases where a writ of error shall be a Supersedeas to a
judgment rendered in any Circuit Court of the United States,
except that for the District of Columbia, the Clerk of this Court
forthwith on the recommendation or direction of this Court at
which the writ of error is docketed, shall transmit a copy of the
record to the Clerk of the Circuit Court in which the first session
of the Term, and if he shall fail so to do, the Defendant in error
shall be permitted to procure a copy of the record and
file it and the cause shall stand for trial in like manner
as if the record had come up within the first session or the
case on producing a certificate from the Clerk stating the
cause and that a writ of error has been duly entered whereby
it is superseded as to the judgment in the writ of error docket
ed and dismissed. This rule shall apply to all judgments
rendered by the Court for the District of Columbia, at any time
prior to a Session of this Court.

The case not filed so as to come at the second Term, it shall be the
duty of the Plaintiff in error, if errors shall not have been
previously assigned in the Court below, to assign them in this Court at
the commencement of the Term, or as soon thereafter as the
record shall be filed with the Clerk and the cause docketed, and
if he shall fail to do so and shall also fail to
attend when the cause shall be called for trial the
writ of error may be dismissed at his costs. And if the
Defendant shall neglect to file his case, and the cause
shall be called for Trial the Court may proceed to hear an
argument on the part of the Plaintiff and to give judgment
according to the right of the cause.

adjourned

[illegible]

Present

The Honorable John Marshall Chief Justice.

William Cushing
William Johnson
and
Brockholst Livingston } Associate Justices.

The Court was opened.

The Honorable Brockholst Livingston produced Letters Patent from the President of the United States bearing date the Twenty ninth day of December in the year One thousand eight hundred and nine appointing him one of the Associate Justices of the Supreme Court of the United States and the Commissions of the rest of the Judges were read.

Caesar A. Rodney Esquire of Pennsylvania, produced Letters Patent under the Great Seal of the United States appointing him Attorney General of the United States.

The Honorable Thomas Todd appeared and took the oaths prescribed by Law.

The Court proceeded to call over the Docket.

Richard Cranch Esquire

and

James Lent and Ann Lent

} The Parties in this cause by their respective Counsel

Upon reading the Petition of Richard Cranch and James Lent and Ann his wife and the answer of the Defendants and the Affidavits of the Counsel it is ordered that the Petitioners have leave to withdraw their Petition and that the Defendants have their costs.

The Court adjourned till tomorrow morning nine o'Clock.

Tuesday February 3? 180?

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
Robert Trimble
William Johnson
Brockholst Livingston
} Associate Justices

William Lovell
vs
Thomas Jones
} No Counsel appearing for the Plaintiff in
the cause the Plaintiff was called and not
answering the suit was dismissed

The honorable Judge Washington and Judge Livingston
the cause that was opened yesterday could not be
proceeded in.

The Court called over the Docket, but the Counsel not
being ready to proceed in any cause

The Court adjourned till tomorrow morning ten o'clock

Wednesday February — 180?

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
William Johnson
Brockholst Livingston
} Associate Justices

William B. Lowry Esq. was duly admitted a counsellor of this court

Richard D. Lawrence
vs
Nathl. Jones
} This cause was argued by Mr. Jones for
the Plaintiff and by Mr. Lawrence for the Defendant.

Samuel Hobbs
vs
Thomas Lee & Co
} Mr. Martin opened the Record in this cause.

Friday February 6th 1807

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
William Johnson
Brockholst Livingston
and
Thomas Todd
} Associate Justices

Richard Spaniards
vs
Joseph Swann Exr
} The Court heard Mr Lewis for the Plaintiff

Upon the affidavit of William H. Dorsey Esq.r a motion was made for a Habeas Corpus to be directed to a Captain a Midshipman officer to bring up the body of James Alexander with the cause of his commitment and detainer. The Court took time to consider of the motion and directed the subject to be then moved and argued.

The Court adjourned till Saturday morning 10 o'Clock.

Friday February 6th 1807

The Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
and
Brockholst Livingston
} Associate Justices.

Hodijah Hunt Executor
of Thomas Hunt late of
Maryland deceased
vs
The Insurance Co of Pennsylvania
} The Court heard Mr Harper for the Plaintiff and Mr Pinkney for the Defendant

The Court heard the Counsel on the motion made yesterday

Saturday January 6th 1810

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
and
Brockholst Livingston
} Associate Justices

Ralph Edwards Smith
vs
The Insurance Co of Penn.
} Error from the Circuit Court of the District of Columbia for the County of Washington

The United States
vs
Williams & Francis
} The Attorney General for the Record

The Court adjourned till Monday morning 10 O'Clock.

Monday January 8th 1810

The Court met agreeable to adjournment,

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
and
Brockholst Livingston
} Associate Justices

The United States
vs
Robert Todd and
Charles C. Watson
} On motion of the attorney General and by consent of parties it is ordered that Jurors be returned that judgment in this cause be entered

Ex parte [illegible]
&
Joseph Gurney &c

Mr Dallas moves for a rule on the Clerk of the

The United States
vs
Billings & Francis

This cause was further moved Mr Attorney General for Plaintiffs. Mr Lewis for Defendants.

Mr Lee moves for a writ of Habeas corpus for Erick Bollman [illegible] for a mandamus to the Clerk of the Circuit Court of the District of Columbia for the County of Washington to issue writs of Error in proceedings against them, in said County, and was heard on said motion. The Court took time to [illegible]

The Court [illegible] tomorrow morning [illegible]

Tuesday February 12th 1807.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
and
Brockholst Livingston
} Associate Justices.

Francis S. Key Esq. of the District of Columbia was duly admitted and sworn as a Counsellor and Attorney of this Court.

The United States
vs
Billings & Francis

Mr Lee moved on the part of the defendants and Mr Attorney General contra.

Ex parte Bollmann
&
The United States vs

Mr Lee moved the cause and was followed by Mr Harper for the Government

Wednesday February 11. 1824

The Court met agreeably to adjournment

Present.

The Hon^ble John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
and
Brockholst Livingston
} Associate Justices

Mr Pope was duly admitted sworn as a Counsellor and Attorney of this Court

Christopher Fitzsimon
&
The Newport Insurance Co^
} Mr Martin concluded his argument in this case

Mr Key was heard in favour of the motion for a Mandamus &c
for Doctor Erick Bollman and Samuel Swartwout
The Court took further time to advise
The Court adjourned till tomorrow morning 11 Oclock.

Thursday February 12th 1824

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
and
Brockholst Livingston
} Associate Justices

Jean Edward D'Montalet
&
Robert Smith
} Mr Jones was heard for the Plaintiff
Mr Key for the Defendant.

William Oneale
&
Hennessy Long
} Mr Key was heard for the Plaintiff
Mr Mason for the Defendant.

George Smith & Co
&
Edward Carrington
} Mr Johnson opened this case

The Court adjourned till tomorrow morning 11 Oclock

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson &
Brockholst Livingston
} associate Justices.

George Smith & al. vs. Samuel Livingston — This cause was further argued by Mr. Hopkinson for the Defendants and Mr. Key for the Plaintiffs.

On the motion of Mr. Key it is ordered by the Court that the decree of this Court pronounced in this cause on the 2nd day of February last be amended by striking out the words "Samuel Livingston" wherever they occur in the said decree.

The Court adjourned till tomorrow morning 11 o'Clock.

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson &
Brockholst Livingston
} associate Justices.

The Honorable Stephen R. Bradley of Vermont was duly admitted to practice as a Counsellor and Attorney of this Court.

Adriana Fennell Exx. of George Fennell dec'd vs. The Heirs of Fitzhugh — This cause was argued by Mr. Harper for the Plaintiffs and Mr. Hopkinson for the Defendants.

Robert Dunlop & al. vs. John Hall — On motion of Mr. Key it is ordered that unless Hall the Defendant in this cause on Saturday next shew cause why a Mandate should not issue for the costs in the cause.

The Court adjourned till Monday morning 11 o'Clock.

Monday February 9th 1807

The Court met agreeable to Adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
} Associate Justices.

The United States
vs.
Erich Bollman & Samuel Swartwout
} Erich Bollman & Samuel Swartwout were brought up by the Marshal of the District of Columbia in obedience to the writ of Habeas Corpus for that purpose issued

Mr. Key and Mr. Jones Hay moved for an order to detain Erich Bollman & Samuel Swartwout

Whereupon it is ordered that the said Samuel Swartwout and Erich Bollman be remanded to the custody of the Marshal of this Court and that he keep them in safe custody so that he again have their bodies before this Court tomorrow morning at ten o'clock

The Court adjourned till tomorrow morning 10 o'clock.

Tuesday February 10th 1807

The Court met according to Adjournment.

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
} Associate Justices.

The United States
vs.
Erich Bollman & Samuel Swartwout
} Erich Bollman & Samuel Swartwout were again brought up agreeable to the order of yesterday & Mr. Hay moved that testimony be produced to support the motion for a mittimus. Whereupon followed in Mr. Hay's in favor of the motion & Mr. Key in opposition to the

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington and
William Johnson
} Associate Justices

Cook Hollingsworth
and
Edward Thornton
} Defendants in Error

Ordered that the Defendants in Error do appear here on Friday next to hear the Judgment of this Court given upon the Writ of Error in this cause.

Friday February 10th 1815.

The Court met agreeable to Adjournment.

Present.

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington and
William Johnson
} Associate Justices

Cook Hollingsworth
and
Edward Thornton
} Defendants in Error

Upon an it is ordered that they be again remanded to the Marshalsea to be then & there brought before this Court Tomorrow morning at eleven o'clock.

Mr. Lee opened the Record in this case.

Mr. Emmet was heard for the Plaintiffs & Mr. C. J. Lee

Tuesday February 20th 1807

The Court met agreeable to Adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
} associate Justices

The United States
vs
Erich Bollman & Samuel Swartwout

Erich Bollman & Samuel Swartwout came personally into Court and agreeable to the order of yesterday in their behalf not having complied therewith it is therefore considered by the Court that the said Erich Bollman and Samuel Swartwout should severally enter into recognizance in the sum of three thousand dollars for their appearance tomorrow to answer what shall then and there be objected against them on the part of the United States and not to depart this Court without leave.

Thereupon the said Erich Bollman with Robert G. Harper & Luther Martin his friends & the said Samuel Swartwout with John L. Hampton & Luther Martin his friends severally entered into recognizances severally to the above order.

Ex parte Bollman & Swartwout
} Motion by Mr Key for a rule to shew cause &c

Rule granted returnable instanter.

Mr Wirt one of the Attorneys of the State of New York was admitted sworn as an Attorney of this Court.

Tuesday February 21st 1807

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
} associate Justices

Monday February 23d 1807.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
} associate Justices.

John B Kuhs et ux
et
William Rogers
} Mr Bradley opened the motion on behalf
appearing for the Defendant.

John Taylor
et
Thomas Sadler et ux
} Mr Clay opens this cause.

The Court adjourned till tomorrow morning 11 O'Clock.

Tuesday February 24th 1807.

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
} associate Justices

John Taylor
et
Thomas Sadler et ux
} Mr Clay concluded on the part
of the Defendants.

The Court adjourned till tomorrow morning
11 O'Clock.

Friday February 2d 1804

The Court not agreeable to adjournment.

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington } Associate Judges
William Patterson

John Taylor
vs.
Jesse Hollingsworth } The cause was this day argued by Mr Clarke for the Defendant and Mr Lee for the Plaintiff

The Court adjourned till tomorrow morning 10 O'Clock.

Saturday February 3d 1804

The Court not agreeable to adjournment.

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington } Associate Judges
and
William Patterson

Ware & Taylor
vs.
Robert Hollingsworth } Mr Lee argued the motion for a Writ of Error in this case

Thomas M. Taylor & others
vs.
Benjamin Mifflin } The cause was argued by Mr Lee for the Plaintiffs & by Mr Clarke for the Defendant

The Court adjourned till tomorrow morning 10 O'Clock

Friday February 2nd 1810

The Court met agreeable to Adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
} Associate Justices

Humphreys Marshall
Jesse Hunt Wife
&
James Laurie
} The cause was argued by Mr Marshall for the Plaintiff & Mr Clay for Defendant

The United States
&
Jedediah Huntington
William Scantlin
} The cause was given up to the Attorney General

Thomas Bradbury
John Pearson
&
The United States
} The cause was argued by Mr Lowndes for the Plaintiff & the Attorney General for Defendants

The Court adjourned till tomorrow morning 11 OClock.

Saturday February 3rd 1810

The Court met agreeably to Adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
&
William Johnson
} Associate Justices

[illegible] Plaintiff
[illegible] Defendant;
[illegible] Plaintiff
[illegible]
[illegible] Defendant
[illegible]

This cause was [illegible]

[illegible] Plaintiff
[illegible]
[illegible] Defendant
[illegible]

This cause was argued [illegible]
[illegible] Defendant's [illegible]

Rule

It is ordered that unless damages are [illegible] by the [illegible]
[illegible] 1803 the said damages shall be calculated to the [illegible]
of the [illegible]ment in this Court

William Tovell
vs.
Thomas Jones

On motion of the Defendant by his Counsel the Plaintiff in this cause was called and not appearing the suit was dismissed
Feb. 3d

The United States
vs.
Robert Fitz. Charles
& Another

On motion of the Attorney General and by consent of parties it is ordered and decreed that the Judgment in this case be entered for the said Robert Fitz and Charles C. Watson the Defendants Feb. 9th

Richard Peters surviving Executor
of
James Tilghman Esqr.
vs.
Joseph Barnes

This cause came on to be heard on the Transcript of the Record and proceedings of the Circuit Court of Pennsylvania and was argued by Counsel on consideration whereof It is adjudged ordered and decreed that the Decree of the said Circuit Court be and the same is hereby affirmed
Feb. 11th

Philip Chinelander surviving
Partner of Frederick & Philip
Chinelander
vs.
The Insurance Co. of Pennsylvania

Upon the question [illegible] to this Court from the Circuit Court [illegible] facts in the cause, the Plaintiff is entitled to recover for a total loss which is to be estimated at the sum of [illegible] thousand two hundred and eighty one Dollars and sixty three cents". It is considered by this Court, that the Plaintiff has a right to recover for a total loss and it is further ordered that this opinion be certified to the said Circuit Court. Feb 11

Jean Baptiste D'Montalet
vs
Mrs Mary

On examination of the Record and proceedings in this cause and the argument of Counsel it is ordered that the judgment of the Circuit Court of Georgia in this case be and the same is hereby reversed, it not appearing to this Court that the said Circuit Court had jurisdiction in this cause.

Feb: 12th

Jean Baptiste D'Montalet
vs
Charles Gratiot

On examination of the Record and proceedings in this cause and the argument of Counsel it is ordered that the judgment of the Circuit Court of Georgia in this case be and the same is hereby reversed it not appearing to this Court that the said Circuit Court had jurisdiction in this cause.

Feb: 12th

Pierre Paillard Esqr
Pierre Paillard &c.
vs
Edward Livingston &c.

On examination of the Record proceedings in this cause and the arguments of Counsel, It is adjudged ordered and decreed that the judgment of the Circuit Court of Louisiana in this case be and the same is hereby reversed it not appearing to this Court that the said Circuit Court had jurisdiction in this cause.

12th Feb:

The United States
vs
Philippe de Freese

This cause came on to be heard on the transcript of the Record and proceedings of the Circuit Court of Pennsylvania, and was argued by Counsel, on consideration whereof, It is adjudged ordered and decreed that the judgment of the said Circuit Court be and the same is hereby affirmed.

Feb: 14th

William Veale
vs
[illegible]

This cause came on to be heard on the Transcript of the Record and proceedings of the Circuit Court of the District of Columbia for Washington County and was argued by Counsel on consideration whereof, It is adjudged, ordered and decreed that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled.

George Smith and
William Swanson
vs
Edward Carrington

This cause came on to be heard on the Transcript of the Record of the proceedings in the Circuit Court held for the District of Columbia and the Bill of exceptions annexed thereto, and was argued by Counsel, on consideration whereof this Court is of opinion that there is error in the proceedings of the said Circuit Court in this that a paper containing [illegible] purporting to be the copy of a letter from Edward Swanson one of the Defendants in this cause, was permitted to be read to the Jury without being proved to be a true copy. Therefore it is considered by this Court that the said Judgment rendered by the Circuit Court of Columbia be reversed and annulled and that the verdict of the Jury be set aside, and that this cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law.

John Wood
vs
Charles [illegible]

This cause came on to be heard on the Transcript of the Record of the proceedings of the Circuit Court of Georgia, on consideration whereof, It is adjudged, ordered and decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs and damages at the rate of [illegible] per annum, including interest on the amount of the Judgment of the said Circuit Court.

Francis H. Fenn
vs
Elias Langham

On examination of the Record and proceedings in this cause from the District Court of Kentucky

It is ordered and Decreed that the Decree of the said District Court be and the same is hereby reversed and annulled, It not appearing to this Court that the said District Court had Jurisdiction in this cause.

Feb. 23.

Thomas Crutchfield &
Edmund Crutchfield Executors of Richard Crutchfield
vs
Elias Caldwell

On examination of the Record and proceedings in this cause from the District Court of Kentucky

It is ordered and Decreed that the Decree of the said District Court be and the same is hereby reversed and annulled, It not appearing to this Court that the said District Court had Jurisdiction in this cause.

Adam French &
George French dec?
vs
The Bank of Columbia

This cause came on to be heard on the Transcript of the Record and proceedings of the Circuit Court for the District of Columbia in the County of Washington, and was argued by Counsel on consideration whereof, this Court is of opinion that the Plaintiffs in failing to demand payment of the note of the 26th June in writing, on the day it became due and before the Plaintiffs sued against the Indorser of the note. The judgment rendered in this case is reversed and annulled, and the cause is remanded for a new Trial with instructions, that unless demand was made of the drawer and due and reasonable notice was given to the Indorser of the non payment of the note by the drawer, the Plaintiffs have no right to recover of the Defendant.

Feb. 23.

John Price
&c
Richard Parker &c

This cause came on to be heard on the
transcript of the Record of proceedings of
the Circuit Court of the United States for the
County of Alexandria, on examination whereof
it is adjudged ordered and Decreed that the Judgment
of the said Circuit Court be and the same is hereby
affirmed with costs and damages at the rate of six
per centum per annum including interest on the
amount of the Judgment of the said Circuit Court
from 25th

John Beale James
Executor of Elizabeth
Millern acting Executors of
George Millern dec'd

vs

Francis Lewis & Anne
his Wife Exx of John May
dec'd

And

Francis Lewis & Anne his
Wife Exx of John May dec'd

vs

John Beale James Executors
& Eliz: Millern acting Exx of
George Millern dec'd

These causes came on to be heard on the
Transcript of the Record of proceedings
of the United States for the District of Kentucky on an
Appeal & Error, and upon reading the
Arguments of Counsel & on the opinion
of the Court that George Millern in
his lifetime was entitled to himself the legal title to
one thousand and fifty acres of land the
equitable right to which he had transferred
to John May on the 20th of March 1785
and having never conveyed or offered to
convey the said lands to said May or to his
Legal Representatives and it appearing that
at the time of the decree rendered in these causes certain parts of
the consideration money which Millern had agreed to receive
were not then paid & that the consideration of the bond on which
the Judgment at Law was obtained had failed in consequence
of the death of Millern & that the Executors of the complainants
below in the Circuit Court were not entitled to the aid of a Court
of Equity to enforce the execution of the obligation of the 9th of
October 1785 or to obtain satisfaction of the Judgment at law
founded thereon

It is therefore Ordered and Decreed that the decree of the
District Court in the original causes be reversed and
annulled with costs, and this Court doth remand the same to the
said District Court for further proceedings to be had therein

in order that an equal and just partition of the two thousand
five hundred acres of land mentioned in the said assignment
of the ninth of March 1785 be made between the said
Complainants & the said George Matthews and Robert Johnson

And as to so much of the Decree in the cross suit as
enjoins four thousand four hundred and sixteen dollars and
sixty cents and part of the judgment at law which James
Clark affirm the same and as to the reversal of the said Decree
it is decreed and ordered that the same be reversed and
annulled and held for naught and that Complainants in
such Decree in the said cross suit do recover against
said Complainant Clark his costs by him about
his said suit in this behalf expended and that the judgment at common law mentioned in the said
bill be perpetually enjoined.

Feb 26th

James Hamilton
& Wife
vs
Samuel Hamilton James
Hopkins Catharine Wilson
Jean Hamilton Robert Hamilton
Sarah Hopkins Polly Hamilton Thomas
Wilson Mary Polly Hamilton Thomas
Wilson Jun. Samuel Hamilton Hannah
Hopkins Jun. Sarah Hamilton Hannah
Wilson Jun. and Sarah Buck
and John Buck and Sarah his Wife.

This suit came on to be heard on
the Transcript of the Record of proceed-
ings in the Circuit Court for Georgia
on consideration whereof and upon
the arguments of Counsel for the
Plaintiffs in Error and for the
Defendants in Error this Court
is of opinion that there is error in the Decree of the said
Circuit Court in adjudging that
the Defendants in the Complainants bill in error should
pay the said sum of Four thousand four hundred
and sixteen dollars and sixty cents and this Court
doth remand the same to the said Circuit Court
for further proceedings to be had therein.

Feb: 27th

February Term 1825

Judgments

Nathaniel Pendleton & John Webb
vs
James Gregrone by Maria Gregrone their next friend, Maria Anne Gregrone Caleb Alexander James Gregrone & John Randall Gregrone by their Guardian John Howell, Sarah Armstrong now Sarah Beard John Gregrone and Lucretia Fife and Emanuel Pendleton

This suit came on to be heard on the Transcript of the Record of the causes in the Circuit Court of Jefferson on consideration whereof and upon the argument of Counsel it is the opinion of this Court that there is error in the Decree of the said Circuit Court in adjudging that the demurrer to the 2d & 3d of the Complainants is good and that the said bill be dismissed It is therefore Decreed and Ordered that the Decree of the said Circuit Court be reversed and annulled with costs and this Court doth remand the cause to the said Circuit Court for further proceedings to be had therein.

Jas Brt

James Gordon use. Archibald M Lachlan assignee of Joseph Haywood
vs
Alexander Caldclugh & others

on the motion of the Plaintiffs in error in this cause this day came that the Decree which was entered at the February Term 1825 of this Court be amended & be now amended and in lieu of the order therein entered the following order and Decree is to be entered, towit, That the writ of error issued in this cause do issue as of [illegible] & that this Court hath no jurisdiction

Feb 25th

James Gordon
vs
Alexander Caldclugh & others

on the motion of the Plaintiffs in error in this cause, It is ordered that the Decree which was entered at the February Term 1825 of this Court be amended be now amended, and in lieu of the order then entered the following order and Decree is to be entered, towit, That the writ of error issued in this cause do issue as of [illegible] & that this Court hath no jurisdiction

Feb 25th

[illegible]

[illegible]

[illegible]

The United States
vs
Charles Lee & others
& Thomas Hayes

upon the question in this case agreed to this Court from the Circuit Court of Pennsylvania in the Confederation of the 4th of August 1789 & from 1791 It is ordered by this Court that so much of the act of Congress passed on the 2nd day of June 1790 entitled "An act to provide for the more convenient holding of the District Courts of the United States in the District of Pennsylvania" as relates to the manner of calling and impanelling Juries in Suits at Common Law and that Judgment ought to be arrested. Feb: 28th

James Hopkirk Surviving partner of Alexander Spiers & late Partner of Bowman &c
vs
Henry Hall Executor of David Hall deceased

upon the question in this case agreed to this Court from the Circuit Court of Virginia, viz: "Whether the act of Assembly of Virginia for the limitation of actions pleaded to the Defendant's said action of Assumpsit and the circumstances of the case amount in Law to a Bar to the Plaintiff's demand against the Defendant founded on a promissory note given by the 25th day of August 1775" It is considered by this Court that the said act of limitations is not a Bar to the Plaintiff's demand on said note, and it is further ordered that the opinion be certified to the said Circuit Court Feb: 28th

John B. Hicks Thomas Hicks & Elias Hicks
vs
William Rogers

upon the question in this case agreed to this Court from the Circuit Court of Vermont viz "Whether the Will of Thomas Hicks dated the first day of October 1787 is a bar to the Plaintiffs claim and interest in the said tract of land described in the declaration to be equally divided between them and if not whether it is admissible in the Plaintiffs in the trial of the cause & should be admitted as evidence in the said cause" It is considered by this Court that the said Will in the said pleadings mentioned is not a legal testament in the trial of the cause in the said Circuit Court It is further ordered that this opinion be certified to the said Circuit Court Feb

William H. Sears & Patsy
Comp.
vs.
Defts.

This cause came on to be heard on the Transcript of the Record of proceedings of the District Court of [illegible] and was argued by Counsel on consideration whereof; It is the opinion of this Court that the District Court of [illegible] erred in dismissing the Bill of the Complainant; It is therefore adjudged and decreed that the decree of the said District Court be and the same is hereby reversed and annulled; and this Court proceeding to give such Decree as the said District Court should have given. It is further Decreed and ordered that the Bill of the Complainant be and the same is hereby dismissed with costs.

Feb: 28th

Humphrey Marshall and
Anne his Wife
vs.
James Currie

This cause came on to be heard on the Transcript of the Record of proceedings of the District Court of Kentucky and was argued by Counsel on consideration whereof; It is the opinion of this Court that the said District Court erred in dismissing the Bill of the Complainants; It is therefore Decreed and ordered that the Decree of the said District Court be and the same is hereby reversed and annulled; and this Court proceeding to give such Decree as the said District Court should have given; It is further Decreed and ordered that the said Defendant James Currie do convey good and sufficient Deed of conveyance to the said Complainants for that part of the Land contained in the Patent of the said Defendant Currie which is included in Complainants Survey and that each party pay his own costs.

Feb 28th

Thomas P. Cox, Executor
of Thomas Cox, deceased
vs.
Thomas P. Cox

On motion of the Defendants Counsel in this cause & hearing the arguments of Counsel It is ordered & decreed that the Decree of the Circuit Court of Connecticut be and the same is hereby reversed and annulled, It not appearing to this Court that the said Circuit Court [illegible]

Feb: 28th

Alexandria

Delaware

Jacob Hawks John Hawks and
Thomas Hawks to
The Surgeon's Mate Fund
The United States
Maryland
Kentucky

At a Supreme Court of the United States begun and holden at the Capitol in the City of Washington on the first Monday (being the first day) of February in the year of our Lord one thousand eight hundred and two.

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
} Associate Justices

Elias B. Caldwell Clerk

Thomas Boyd Esq. Marshal

The Court was opened

Christopher Fitzsimons
The Insurance Co. of North America
} Mr. Dallas opened this cause

The Court then adjourned till tomorrow morning 11 O'Clock.

Tuesday February 2. 1802.

The Court met agreably to adjournment

Present.

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
} Associate Justices

Christopher Fitzsimons
The Insurance Co. of North America
} The Court heard Mr. Dallas & Mr. Lee for the Plaintiffs & Mr. Ingersoll for the Defendants

[illegible]

Wednesday January 5. 1803.

The Court met agreeable to adjournment.

Present:

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
} Associate Justices.

Cristopher Ellzeman
&
The Insurance Co.
} This cause was further argued by Mr. Hall for Defendant and Mr. Ewing for the Plaintiffs.

Rebecca B. M.Raine
&
Edward Livingston
} Mr. Swinneau for Plaintiff this cause.

The Court adjourned till tomorrow morning 11. O'Clock.

Thursday January 6. 1803.

The Court met agreeable to adjournment.

Present:

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
} Associate Justices

Rebecca B. M.Raine
&
Edward Livingston
} This cause was further argued by Mr. Hopkinson and Mr. Livingston for the Defendant.

The Court adjourned till tomorrow morning 11. Oblock.

The Court met agreeably to adjournment

Present

The Hon. John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson &
Brockholst Livingston
} Associate Justices.

Rebecca C. M'Clenachan
vs
Daniel Cox & Lessee
} This cause was further argued by Mr. Hopkinson for the Defendant and Mr. Ingersoll for the Plaintiffs

The Court adjourned till tomorrow morning 11 o'Clock.

Thursday February 8th. 1808.

The Court met agreeably to adjournment

Present

The Hon. John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson &
Brockholst Livingston
} Associate Justices.

Thomas Evans & Wife
vs
John Walker & others
} This cause was argued by Mr. C. Lee for the Plaintiffs and Mr. Harper for the Defendants

[illegible]
vs
[illegible]
} This cause was [illegible]

The Court adjourned till [illegible] morning 11 o'Clock

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
and
Thomas Todd

Associate Justices

The Honorable James Innis Edwards Pendleton Esquire produced from the Court of the United States, dated 3d March 1807 appointing him one of the Associate Justices of the Supreme Court of the United States, with the Certificate endorsed thereon of his having taken the oath prescribed by the Constitution and the Laws and his seal on the Bench accordingly.

The Honorable Nicholas Randolph of Delaware and the Honorable John Boyle of Kentucky were severally admitted counsellors and attornies of this Court.

Cases
John James Heinsohn
Plaintiff
vs
Defendant

Several causes were opened by permission of the Court, embracing the same points as in this cause for the purpose of arguing all of them at the same time.

The Court adjourned till tomorrow morning 11 o'Clock.

Thursday February 9th 1808.

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

Associate Justices.

Cases
John James Heinsohn
Plaintiff
vs
Defendant

Rice and the other causes opened were further argued by Mr Lee and Mr Harper for the Plaintiff & Mr Jones was for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock.

Wednesday February 10th 1808

The Court met agreeable to Adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
and
Thomas Todd

} Associate Justices

Ebenezer Rose and others
vs
John James Pringle
& Co

} Mr Dupronceau concluded his argument in this case.

The Court adjourned till tomorrow morning 11 O'Clock.

Thursday February 11th 1808

The Court met agreeable to Adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston &
Thomas Todd

} Associate Justices

Ebenezer Rose vs John James Pringle & Co

} This cause was further argued by Mr Sullivan for the Defendant & Mr Dallas for the Complainant

The Court adjourned till tomorrow morning 11 O'Clock

Friday February 12th 1808

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston &
Thomas Todd

Associate Justices

Thomas Jan Sitgreaves
vs
John James Kennedy
Marshall

This cause was further argued by Mr Martin for the Defendant

The Court adjourned till tomorrow morning 11 O'Clock.

Saturday February 13th 1808.

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston &
Thomas Todd

Associate Justices.

Thomas Cloud & others
vs
John Lamar Executor
of Jacob Lamar deceased

Mr Parker continues his argument in this cause

The Court adjourned till Monday morning 11 O'Clock

Monday February 15th 1808

The Court met agreeable to adjournment

Present

The Honorable the Associate Justices

William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

} Associate Justices

Hanson Lee vs Lee
In Error
from the District Court
of Maryland

} Error came on to be argued by Mr Martin for the Defendant & Mr Nash for the Plaintiff

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday February 16th 1808

The Court met agreeable to adjournment

Present

The Honorable the Associate Justices

William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

} Associate Justices

William Drayton Esq. of South Carolina was duly admitted and Sworn as a Counsellor & Attorney of this Court.

Hepburn & Dandridge
vs
The United States

} This cause was further argued by Mr Ingersoll & Mr Dallas for the Plaintiffs

The Court adjourned till tomorrow morning 11 O'Clock

The Court met agreeably to Adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing
Samuel Chase
William Johnson
Bushrod Washington
Alfred Moore

} Esq.rs Associate Judges

Anthony Marshall
Esq.r
vs
The Delaware Insurance Co.
&c.

} This cause was argued by Mr. Hopkinson & Mr. Rawle for the Plaintiff & Messrs. Dallas & Mr. Rawle for the Defendant.,

The Court adjourned till tomorrow morning 11. Oclock

Thursday February 18th 1808.

The Court met agreeable to Adjournment.

Present

The Honorable John Marshall Chief Justice

William Cushing
Samuel Chase
William Johnson
Bushrod Washington
& Thomas Todd

} Esq.rs Associate Judges

The United States
vs
Ezekiel Cornell

} This cause was argued by the Attorney General for the United States & Mr. Hopkinson and Mr. Rawle for the Defendant.

The Court adjourned till tomorrow morning 11 Oclock.

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

Daniel Grant
-vs-
John Fitch & Nathaniel Pendleton

This cause was argued by Mr. Martin for the Plaintiff and Mr. Ingersoll for the Defendants

The Court adjourned till tomorrow morning 11 O'Clock

Friday February 3d 1809

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

Associate Justices

Daniel Grant
-vs-
John Fitch & Nathaniel Pendleton

This cause was further argued by Mr. Hopkinson for the Defendants and Mr. Martin for the Plaintiff

The Court adjourned till Monday morning 11 O'Clock

The Court met agreeable to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston &
Thomas Todd
Associate Justices.

The United States
vs
The Brig Union
&
The Sloop Sally
&
The Sloop Deborah

These causes were moved and dismissed the Supreme Court not having Jurisdiction.

Thomas Hunn
vs
Samuel Winston
Jesse Colvin Costin

This cause was argued by Mr. C. Lee for the Plaintiff and Mr. Key for the Defendant.

The Court adjourned till tomorrow morning 11 O'Clock.

Monday February 23d 1808.

The Court met agreeable to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston &
Thomas Todd
Associate Justices

Joseph Low Esq. of Massachusetts was duly admitted Counsellor at

Anthony Marshall
v.
The Delaware Insurance Co.

Judgment in this case pronounced.

Henry Pawling & others
v.
The United States

This cause was argued by Mr. Ingersoll for the Plaintiffs and Mr. Dallas Attorney General for the Defendants

Exors. Thomson
v.
James Hamilton & others of William Crammond

Mr. Rawle and Ingersoll for the U. S. Mr. Dallas for the Plaintiffs in Error
Hewit & Mr. Jones for the Defendants

The Court ignored till tomorrow morning 11 o'clock

Friday February 24th 1809.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd.
} Associate Justices

Robert Greenhow
v.
Mark Newton

upon motion of Mr. Simms of Counsel for the Defendant in error

It is ordered that the writ of error shew cause on Thursday the 2d day of March next why the writ of error in this cause should not be quashed.

Thos. Buchanan Esq. &
Francis Desmoyelles
v.
Lieut. Commandant &
U. S. Schooner Nautilus
and
Lieut. Commandant U. S. Schooner Chesapeake
v.
Thos. Buchanan Esq. &

These causes were opened by Mr. Harper for Buchanan & Co. Mr. Wirt for Lieutenant Shubrick

Thursday February 25th 1808.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

associate Justices

Thomas Lechenaux Esq.
vs. Francis Bumsgay
&
Nat. Chevalier & al.
vs. M. D'Clouet & al.
and
Nat. Chevalier & al.
vs. M. D'Clouet & al.
vs.
Francis Bumsgay Esq.

These causes were further argued by Mr. Pinder for Morrison and Mr. Hayes & Mr. Key for Lechenaux.

The Court adjourned till tomorrow morning 11 Oclock.

Friday February 26th 1808.

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices.

Thomas Lechenaux Esq.
vs.
Nathaniel Chevalier & al.
and
Nathaniel Chevalier & al.
vs.
Thomas Bumsgay Esq.

These causes were further argued by Mr. Pinder and Mr. Harper

The Court adjourned till tomorrow morning 11 Oclock.

Saturday February 27th 1808.

The Court met agreeable to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd
} Associate Justices.

The Honorable Francis Gardner of New Hampshire was duly admitted and sworn as a Counsellor and Attorney of this Court.

Lushington Edmonds
Robert Goodloe Harper
} This cause was argued by Mr. Edmonds & Mr. Swann for the Plaintiffs & Mr. Harper for the Defendants.

The Court adjourned till Monday morning 11 O'Clock.

Monday February 29th 1808.

The Court met agreeable to adjournment.

Present.

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd
} Associate Justices.

Lushington Edmonds
Robert Goodloe Harper
} This cause was further argued by Mr. Harper for the Defendant & Mr. Swann for the Plaintiffs.

The Court adjourned till tomorrow morning 11 O'Clock.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

Hodgson Pinkney
vs
Moses Moore

This cause was further argued by
Key for the Plaintiff in Error
& for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock

February Term 1808.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

Hodgson Pinkney
vs
Moses Moore

This cause was further argued by
Key for the Plaintiff in Error
& for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock

Thursday March 3d 1808

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

Abraham Peirce & others
vs
John Pope & others

This cause was further argued by Mr Swann and Mr Key for the Defendants and Mr Rodney for the Plaintiffs

The Court adjourned till tomorrow morning 11 O'Clock

Friday March 4th 1808

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

Abraham Peirce & others
vs
John Pope & others

This cause was further argued by Mr Swann and Mr Key for the Plaintiffs

Robert Gaines
vs
The Heirs of Elizabeth

The Court took time to consider of their decree in this cause

The Court adjourned till tomorrow morning 11 O'Clock

Saturday March 5th 1808

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
William Johnson
Brockholst Livingston
Thomas Todd
} Associate Justices

Robert Young
&
Edward Hamilton
} vs. The Court heard further argument on the rule to shew cause &c in this case

Lieutenant Wilkinson Waters
&
Captain Edward Hamilton
} vs. On motion of Mr Thomas Swann it is ordered that a rule is granted to shew cause why a mandamus should not issue to the Honorable Richard Peters District Judge of the Pennsylvania District returnable on Saturday next to compel the execution of a decree pronounced by the said District Court against the Ship Active &c in the above cause: March 5th 1808

The Mayor Aldermen & Commonalty of the City of New York
vs
Thomas Addison Emmet
} This cause was argued by Mr Swann for the Plaintiffs and Mr Graham for the Defendant

The Court adjourned till Monday morning 11 O'Clock

Monday March 7th 1808

The Court met agreeable to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
William Johnson
Brockholst Livingston
& Thomas Todd
} Associate Justices

Ex parte Joseph Nourse Esqr Register &c Treasury
} Mr Key moved for a rule to shew cause &c which was argued by Mr Key & Mr Harper for the Petitioner

Ex parte Peggy
} Mr Harper moved for a rule to shew cause &c which was argued by Mr Harper for the Petitioner

Monday March 8th 1808

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd
} Associate Justices

Fowl. Alexander
vs
Baltimore Insurance Co.
} The cause was argued by Mr Lingan for the Plaintiffs and Mr Martin for the Defendants

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday March 9th 1808

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Johnson
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd
} Associate Justices

Benjamin Sands Exrs
vs
Elizabeth Stevens
} The cause was argued by Mr Martin for the Plaintiffs & Mr Harper for the Defendants

The Court adjourned till tomorrow morning 11 O'Clock

Thursday March 10th 1808.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Associate Justices

Common Pleas Docket

Elizabeth Conroe — The argument in this case was concluded by Mr Key

Jacob Spears
Robert Sullivan — This cause was argued by Mr Key for the Plaintiff & Mr Jones for the Defendant

Daniel Ramsay
Saml S. Lee Trustee — This cause was argued by Mr Jones for the Plaintiff & Mr Key for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock

Friday March 11th 1808.

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Associate Justices

John Matthews
Nicholas Fine — This cause was argued by Mr Key for the Plaintiff & Mr Harper for the Defendant

Thomas Glascock
William
Charles Mr Godfrey — This cause was opened by Mr Martin

The Court adjourned till tomorrow morning 11 o'Clock

The Court met agreeably to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

Robert Young
vs
The Bank of Alexa

The motion to quash the writ of error in this case is overruled

Elias Matthews
vs
Noah Jane

Diminution in this case is suggested & it appearing that the word Executrix is omitted in a continuance prayed which is ordered accordingly

Gideon Olmsted
&c &c
vs
Jno Ingersoll & Wm
Peters Esqrs Judges
&c &c &c

The rule granted in this cause on Saturday last having been made absolute on the Defendants not shewing cause to the Plaintiffs Counsel

It is ordered that a Mandamus issue to the Honorable Richard Peters District Judge of the Pennsylvania District to proceed to carry into effect and execution the Decree of the District Court of Pennsylvania sitting as a Court of Admiralty in this cause, or shew cause to the contrary

Willard & Pickett
vs
Jonathan Dwight
Northern

This cause was opened by Mr Lee and Mr Martin

The Court adjourned till Monday morning 11 o'Clock.

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd.
Associate Justices.

Edward Tilghman
&
Jonathan Knight
vs
Ner.

This cause was further argued by Mr. Hopkinson for the Defendants and Mr. Martin for the Plaintiffs.

The United States
&
The Schooner Betsey &
Charles M'Lester

This cause was opened by the attorney General.
The rest of the argument for Appellants & for Appellant.

The Court adjourned till tomorrow morning 11 O'Clock.

Tuesday March 6th 1810.

The Court met agreeably to adjournment.

Present

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd.
Associate Justices

The United States
&
The Schooner Betsey &
Charles M'Lester

This cause was further argued by Mr. Hopkinson for the Plaintiffs & Mr. Key for the Defendants.

The Court adjourned till tomorrow morning 11 O'Clock.

Wednesday March 16th 1808.

The Court met agreeably to Adjournment.

Present.

The Honorable John Marshall Chief Justice
Samuel Chase
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

} Associate Justices.

The United States
vs.
The Schooner Betsey & Eliz. Smith & Jno. Seaton

This cause was on the motion of the Attorney General for the Defendant & the Attorney General for the Plaintiffs

Rules.

1st Ordered, That all parties in this Court, not being Residents of the United States, shall give security for costs accruing in this Court to be ordered on the Record.

2nd Ordered, That upon the return of this Rule process may issue to cause the appearance or the non appearance of the parties or their Counsel & copies of the Bill or suits may be taken respectively in this Court on such parties or their Counsel & Attachment shall issue against such parties or counsel respectively to compel payment of the said costs.

[illegible] Court

[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of North Carolina and was argued by Counsel on consideration whereof it is ordered and Decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs. Feb. 6. 1800.

Christopher Peterson

vs

[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Rhode Island and was argued by Counsel on consideration whereof it is adjudged ordered and Decreed that the Judgment of the said Circuit Court be and the same is hereby reversed and it is further ordered to be certified to the said Circuit Court that Judgment is entered in the said Circuit Court for the Plaintiff on the special [illegible]

The United States

vs

[illegible]

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Delaware on examination whereupon it is ordered and Decreed that the said cause be and the same is hereby dismissed the Supreme Court not having jurisdiction in said cause, the matter in dispute not exceeding the sum or value of two thousand dollars exclusive of costs. February 23d

The United States

vs

[illegible]

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Delaware on examination whereupon it is ordered and Decreed that the said cause be and the same is hereby dismissed the Supreme Court not having jurisdiction in said cause, the matter in dispute not exceeding the sum or value of two thousand dollars exclusive of costs. Feb. 23d

The United States

vs

[illegible]

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Delaware on examination whereupon it is ordered and Decreed that the said cause be and the same is hereby dismissed the Supreme Court not having jurisdiction in said cause, the matter in dispute not exceeding the sum or value of two thousand dollars exclusive of costs.

Anthony Marshall
vs
The Delaware Insurance Co.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Pennsylvania, and was argued by Counsel on consideration whereof, It is adjudged, ordered and decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs. February 25th.

Rebecca C. McKinnon
vs
Daniel Coxe's Executors

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Pennsylvania, and was argued by Counsel on consideration whereof, It is adjudged, ordered and decreed that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs. February 25th.

Simon Fowling
vs
Ex'rs. John Adair & Thomas Kennedy

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Kentucky, and was argued by Counsel on consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court be and the same is hereby Reversed, and it is further ordered that Judgment be entered by the said Circuit Court for the [illegible] in the said Circuit Court. February 27th

Daniel Grant
vs
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Maryland, and was argued by Counsel on consideration whereof, It is the opinion of the Court that the said Circuit Court erred in ordering the case that the evidence was sufficient to support the Plaintiff's action. It is therefore adjudged and ordered that the Judgment of the said Circuit Court be and the same is hereby reversed and the cause is remanded for further proceedings. Feb. 27th

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This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is ordered and decreed that the said Record be and the same is hereby affirmed with costs.

Feb. 20th.

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is ordered that the said Record be and the same is hereby affirmed with costs.

Feb. 20th.

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is ordered that the said Record be and the same is hereby affirmed with costs.

Feb. 20th.

to the owners or freighters the expences the charges of and which expences deductions the defendants are at liberty to claim in the Circuit Court. This Court is of opinion that the sentence of the Circuit Court of South Carolina ought to be reversed and the cause be remanded to that Court in order that a final Decree may be made therein conformable to this opinion.

March 3d

Henry Rose on behalf of himself & others
vs
John Innes Clarke & al

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it appearing that the Ship with her cargo were seized without the territorial jurisdiction claimed by the French Government of St. Domingo for the breach of a municipal regulation and having been carried within that Jurisdiction were sold by the captor as a forfeiture and afterwards condemned by the Court of St. Domingo as having violated the laws for regulating the commerce of French and foreign vessels with that Colony which laws authorized a seizure of vessels found within the waters of the coast It is the opinion of this Court that the sentence of the Sovereign and the cargo is to be considered as a maritime transaction not cognizable for reform in the Courts of the United States on an appeal from a decree of condemnation and consequently that the said sentence did not change the property in the Ship and her cargo which ought to be restored to the Owners upon the amount of interest & three charges of freight insurance and other expences which would have been incurred by the owners in bringing the cargo into the United States which equitable deductions the defendants are at liberty to claim in the Circuit Court. This Court is therefore of opinion that the sentence of the Circuit Court of South Carolina ought to be reversed and the cause be remanded to that Court in order that a final decree may be made therein conformable to this opinion.

Motion to Dismiss on behalf of Libellants of Appeal of Libellants

Motion to be heard on the Transcript of the Record and on certain exhibits introduced into the case in the Court below and on argument of Counsel on said motion which said Transcript of Record and exhibits are ordered to be sent up with the appeal

Libel filed without the territorial jurisdiction claimed by the French Government of St. Domingo for the seizure of a vessel and cargo

Libel and Answer thereto

Decree

Appeal

Assignment of Errors

Citation

Bond

Libel to be a proceeding in Rem and a libel for the enforcement of a Lien for salvage services rendered to the vessel and cargo

Decree of the District Court of the United States for the District of South Carolina

Appeal to the Circuit Court of the United States for the District of South Carolina

Decree of the Circuit Court of the United States for the District of South Carolina

Appeal to the Supreme Court of the United States

Motion to be heard on the Transcript of the Record and proceedings of the Circuit Court of the United States for the District of South Carolina and argument of Counsel on said motion

Decree of the Circuit Court that the said Circuit Court has no jurisdiction of the cause and that the libel be dismissed

Appeal to the Supreme Court of the United States

Assignment of Errors

Bond

Citation

Peter A. Cranch
vs
John Smith

This cause coming on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia for the County of Washington and was argued by Counsel on consideration whereof, it is the opinion of this Court that the said Circuit Court erred in sustaining the plea of the Statute of Limitations stated and pleaded by the parties the Plaintiffs in error and that the action of Assumpsit in the declaration mentioned was not barred by the Statute of Limitations aforesaid. It is therefore ordered and decreed that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and the said cause is remanded to the said Circuit Court for further proceedings to be had therein. March 2d

Nathan Rogers
vs
Stephen Cutler

Upon the questions in this cause referred to this Court from the Circuit Court of the District of Pennsylvania on a division of opinion in the said Circuit Court (1st) Whether the Circuit Court of the United States in and for the District aforesaid is a Court of common law and jurisdiction or not? (2d) Whether the seizure and condemnation of the said copper bolts or either of them are or are not a sufficient bar to the Plaintiffs demand." It is the opinion of this Court that the case is stated too imperfectly to enable this Court to form an opinion upon the questions referred to this Court. This cause is remanded for further proceedings to be had in the said Circuit Court. March 2d

John Harpur
vs
The Owners of the
Sidney &c. Claimants

On motion by the Counsel of the Claimants of the Sidney in this cause from the Circuit Court of the District of Pennsylvania, It is the opinion of this Court that the case is stated too imperfectly in the said Record to enable this Court to form an opinion thereon. It is therefore ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had thereon. March 2d

James Alexander
vs
Samuel Harris Sheriff
of William Brown Esquire

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia for the County of Washington and was argued by Counsel on consideration whereof, It is ordered and decreed that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. March 2d

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Georgia and was argued by Counsel on consideration whereof, This Court is of opinion, that the Decree rendered by the Circuit Court ought to have been for the sum of one thousand and forty pounds seventeen shillings and seven pence with interest thereon at the rate of six per centum per annum from the 30th of April 1792 and of three thousand eight hundred and twenty three dollars and six cents reported by the commissioners appointed to state the accounts between the parties to be due for transactions subsequent to the 30th of April 1792. This Court doth therefore affirm the said Decree as to the said sums of one thousand and forty pounds seventeen shillings and seven pence with interest thereon at the rate of six per centum per annum from the 30th of April 1792 and of three thousand eight hundred and twenty three dollars and six cents, and doth reverse it as to the residue and doth direct the parties to bear their own costs. March 1st

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia for Alexandria County and was argued by Counsel on consideration whereof, It is the opinion of this Court that the said Circuit Court erred in instructing the Jury, That the application of the money by the Plaintiff in the proceedings mentioned must have been made and before any alteration had taken place in the circumstances of the Parties; It is therefore adjudged and ordered, that the Judgment of the said Circuit Court be and the same is hereby reversed, and the said cause is remanded to the said Circuit Court for further proceedings to be had therein. March 1st,

February Term

The United States
vs
Samuel M'Dowell Junr.
John Adair Peter Casey
& Caleb M'Dowell

It is ordered that the writ of error in this cause be and the same is hereby dismissed the Supreme Court not having Jurisdiction in said cause. March 7th

The United States
vs
Francis Gurney, Daniel Smith
Junr. & John Robert Nicholson
& Co. Samuel & Robert Ritchie
C. Ritchie, John Miller Junr.
Thomas Pratt, Thomas H.
Burroughs & Francis Hinton

Upon the question in this case agreed to be certified from the circuit court of Pennsylvania, as to the right of the Plaintiffs on the pleadings to recover, It is the opinion of this Court that judgment ought to be rendered for so much as remains due of the sum of one hundred and eleven thousand Dollars, calculating Interest thereon from the first of March in the year 1793; and that either of the parties request it that a Jury be impannelled to ascertain the value of this sum in the money of the United States. March 8th

Jacob Mountz, John Mountz
& Thomas Knowles
vs
John Hodgson & Thomas
Hamilton

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia and Virginia and was argued by Counsel on consideration whereof, It is ordered and adjudged that the writ of error in this cause be and the same is hereby quashed the same having improvidently been granted. March 8th

Jacob Mountz, John Mountz
& Thomas Knowles
vs
John Hodgson & Thomas
Hamilton

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia and Virginia and was argued by Counsel on consideration whereof, It is ordered and adjudged that the writ of error in this cause be and the same is hereby quashed the same having improvidently been granted. March 8th

Thomas Wilson
vs
The Ship Charles Carter
& Donald Burton

This cause came on to be heard on the Transcript of the Record of the Circuit Court of this District and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the decree of the said Circuit Court be and the same is hereby affirmed with costs and it is further ordered and decreed, that the Marshal of the said Circuit Court pay unto Donald and Burton and Robert Burton the Owners of said Ship the proceeds of the sale of such part of the said Ship as was sold by him under the decree of the District Court of the United States

The United States
vs
Joseph Bellinger, John Sears, Thomas Smith & Thomas Foot & Thomas Saunders

This cause came on to be heard on the Transcript of the Record of the District Court of Connecticut and on consideration hereof it is ordered adjudged & decreed that the Sentence of the said District Court be and the same is hereby affirmed with costs and mandate to the said Joseph Bellinger, John Sears, Thomas Smith, Thomas Foot & Thomas Saunders

March 9th

Thomas Church returned answer with letters of Attorney in Court Philip Pendleton
vs
The Ship Phoenix Thomas Wilson Master

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Delaware and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the decree of the said Circuit Court be and the same is hereby affirmed with costs; and it is further ordered that the Appraisement of the Vessel before the Libel was filed be the Standard of the Decree which shall be made against the said Vessel in the State Court of Pennsylvania of Eighteen pounds per Ton for the Vessel & Furniture

March 9th

The United States
vs
[illegible]

This cause came on to be heard on the Transcript [illegible] was argued by Counsel on consideration whereof it is ordered and decreed that the judgment of the said Circuit Court be and the same is hereby affirmed.
March 9th

[illegible]
vs
The [illegible]

No Counsel appears for the Appellant in this cause on the motion of the Defendant in error by his Counsel it is ordered that the decree of the Circuit Court of [illegible] in this cause be and the same is hereby affirmed with costs. March 9th

David Alexander
vs
The Baltimore Insurance Co.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Maryland and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the Circuit Court in this cause be and the same is hereby affirmed with costs.
March 11th

Thomas Glasbrook Joseph Cooper Thomas P. Barnes Joseph Bryan Patsy Cooper & Mrs. Richardson the adm[rs] of Wm. Cannon dec[d] & Thos. Ed. Cannon & Mrs. Ed. Cannon heirs of John Scott dec[d]
vs
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Maryland and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the said Circuit Court be and the same is hereby reversed and the said cause is remanded to the said Circuit Court for further proceedings
March 13th

James Shorter, Thomas Cockrell Smith Bryan Mrs. Smith & Wm. Cannon dec[d] and the other heirs of Wm. Scott dec[d]
vs
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Virginia and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the said Circuit Court be and the same is hereby reversed and the said cause is remanded to the said Circuit Court for further proceedings. March 9th

January Term 1838.

Israel Spears
vs
Rebecca Millison

This cause came on to be heard on the Transcript of the Record of the District Court of Kentucky and was argued by Counsel on consideration whereof. The Court is of opinion that the said District Court erred in [illegible] the Libel of the Appellant to be restored to the [illegible] that at the time the Libel in the said proceedings mentioned was said to have been made no Libel or Claim was duly and legally made in writing [illegible] and that the Libel ought to be dismissed. It is therefore adjudged ordered and decreed that the Judgment of the said District Court be and the same is hereby reversed and annulled and the said cause is remanded for further proceedings to be had therein.

March 14th

[illegible]
vs
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District aforesaid and was argued by Counsel on consideration whereof. It is ordered that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs and damages at the rate of ten per centum per annum on the sum [illegible]

March [illegible]

Benjamin Mead, Ralph Hand Junr & Elizabeth his wife, Charles C. Pinckney & Anne his wife late of [illegible]
vs
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Pennsylvania on consideration whereof. The Court is of opinion that there is error in the Decree of the said Circuit Court [illegible] the Defendants and dismissing the Bill of the Complainants. It is therefore adjudged ordered & Decreed that the Decree of the said Circuit Court be and the same is hereby reversed and annulled and this cause is remanded to the said Circuit Court for further proceedings to be had therein according to Equity and this direction that the Defendant shall answer anew.

March 14th

[illegible]
vs
[illegible]

This cause is discontinued by order of Plaintiffs Counsel.

[illegible]
vs
[illegible]

By order of the Counsel by them learned by consent of the

William Ferguson
&
William Hunt

This cause coming to be heard on the Transcript of the Record of the Circuit Court of Virginia and was argued by Counsel on consideration whereof it is the opinion of this Court that the said Circuit Court erred in their Decree in favor of the Complainant in the Bill mentioned, and that the said Decree be reversed and annulled and that the said cause be remanded to the said Circuit Court for further proceedings to be had therein, with instructions to direct an issue to determine whether the bond in the Bill mentioned was executed by the Obligor in the Bill named or not, and to direct such other issues as the Court shall think proper to be tried by a jury upon the pleadings in this cause, and such other proceedings to be had therein as may be agreeable to Equity and Justice.

March 19th

Abm. Morgan
&
Thomas Callender and
Lewis Thomas

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is the opinion of this Court that the Judgment of the said District Court in favor of the Complainant be reversed and annulled and that the Bill be dismissed as not appearing that the said District Court had Jurisdiction in said cause.

March 15th

Lewis Neilson & Jane his wife
&
Jonathan Russell & Jane his wife & Thomas Jones & Mary his wife & Stephen Jones

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Connecticut and was argued by Counsel on consideration whereof it is the opinion of this Court that the said Circuit Court erred in dismissing the Bill of Complaint made by William Lewis Neilson and Jane his wife and Stephen Jones and Mary his wife the Children & Heirs at Law of Thomas Lewis mentioned in the Bill of Complaint. It is therefore ordered and decreed that the Judgment of the said Circuit Court be and the same is hereby reversed and annulled and the said cause is remanded for further proceedings to be had therein.

March 19th

John W. Leonard
&
Thomas Fisher.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia for Washington County and was argued by Counsel on consideration whereof, It is the opinion of this Court that the said Circuit Court erred in giving judgment for the [illegible] on the special verdict, It is therefore adjudged and ordered that the judgment of the said Circuit Court be and the same is hereby reversed, and that the said cause be remanded with instructions that judgment be rendered in the said Circuit Court for the said John W. Leonard. March 15th.

William Dawson &
[illegible]
&
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia for the County of Washington and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court be and the same is hereby affirmed with costs. March 15th.

[illegible]
&
[illegible]

It is ordered that the following opinion be certified to the Circuit Court for the District of Pennsylvania in the third Circuit, That it is the opinion of this Court that the Jurors in civil causes in the Circuit Courts of the United States are entitled to the sum of one dollar Twenty five cents for each day they respectively attend the said Courts and that the Marshal for the said District of Pennsylvania ought to allow to each of the Jurors on whose behalf this motion was made the said sum of one dollar Twenty five cents for each day they respectively attended the said Circuit Court of the United States in and for the District of Pennsylvania in the third Circuit during the session of the said Court which began on the 11th of October 1808. March 16th

[illegible]
&
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia on an appeal from the District Court of said District, and was argued by Counsel on consideration whereof, It is adjudged and decreed that the Decree of the said Circuit Court reversing the Decree of the District Court be and the same is hereby reversed, and that the Decree of the said District Court be and the same is hereby affirmed

The United States vs Thomas Tompkins & others	Do	Samuel Swartwout & others vs John Preston & others	Contempt
Samuel Osborne vs The Insurance Co of North America	Do	John M. Nesbitt vs Jacob Jones	Do
Hannah Jane Hutchinson & others vs Isaac Langdon	Do	Matthew Rogers vs The Union Insurance Co	Do Dismissed
The United States vs Isaac Taylor	Do	The United States vs William C. Wetherbee	Do
John Taylor vs The Sandwich Co	Do	Nathan Dane & others vs Isaac Holland & others	Do
Nathaniel Cranch vs Robert Scott	Do	Thomas Swann & others vs Sarah Ann Fletcher & others	Do
United States vs Arthur St Patterson	Do	Robert Fletcher vs John Peck	Do
Thomas Tracy vs Joel Lodge	Do	Isaac C. Jones vs John Watson	Do
Thomas McKean vs Benjamin Delaney & others	Do	Charles Worrall & others vs Isaac Lewis	Do
Robert Alexander vs The Mayor & Commonalty of Albany	Do	Robert Lenox & others vs William Cox	Do
Alexander Henderson vs Elam Moore	Do	Alexander Hamilton & others vs William Peters	Do
Earl of Inverary vs Josiah Collins	Do	John Randolph vs Isaac M. Pike	Do
United States vs Elias Conner & others	Do	Christian Remsen vs Charles Lewis Esq	Do
Taylor & Lucas vs	Do	Charles Lawrence & others vs	Do

Stephen Alexander	Continued.	Richard Emerson	Continued
[illegible]		[illegible]	
Peter Gaines	do	Robert Gaines	do
[illegible]		[illegible]	
[illegible]	do	[illegible]	do
[illegible]		[illegible]	
[illegible]	do	[illegible]	do
[illegible]		[illegible]	
[illegible]	do	[illegible]	do
[illegible]		[illegible]	
[illegible]	do		
[illegible]			
[illegible]	do		
[illegible]			
[illegible]	do		
[illegible]			
[illegible]	do		
[illegible]			
[illegible]	do		
[illegible]			
[illegible]	do		
[illegible]			
[illegible]	do		
[illegible]			
[illegible]	do		
[illegible]			

At a Supreme Court of the United States begun and
holden at the City of Washington [illegible] the
day of February in the year one thousand eight hundred
and nine.

Present.

The Honorable John Marshall Chief Justice
[illegible]
[illegible] } Associate Justices
Brockholst Livingston

Henry Binney Esq.r of Pennsylvania was duly admitted and sworn as a
Counsellor and Attorney of this Court

Motion made by Counsel for leave to amend the return of the writ of error in this cause.
Rule entered accordingly
Ordered that this cause stand for argument on tomorrow morning 11 o'Clock.

Tuesday February 7.th 1809.

The Court met according to adjournment.

Present.

The Honorable John Marshall Chief Justice.
William Cushing
Brockholst Livingston } Associate Justices.
[illegible]

Nathaniel Pendleton Esq.r of New York was duly admitted Counsellor and Attorney of this Court.

Charles Lee

[illegible] and Mr. Swann for the Defendants.

Edmund Moore

This cause was argued by Mr. Swann for the Pltff and by Mr. Simms for the Defendant.

[illegible]

[illegible]

[illegible]

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing

Bushrod Washington

[illegible]

Ann Fairfax

vs.

Thomas M.c Kean

and

Margaret Delaney

} This cause was argued by Mr. Attorney General & Mr. Ingersoll for the Plaintiff & by Mr. Lewis for the Defendants

[illegible]

[illegible]

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

William Cushing

Bushrod Washington

[illegible]

[illegible]

vs.

William Oxley

} This cause was argued by Mr. [illegible] for the Plaintiffs and Mr. Lewis for the Defendant

[illegible]

vs.

Providence

} This cause was argued by [illegible] for the Plaintiffs

[illegible]

[illegible]

Saturday January 11th 1806.

The Court met according to adjournment,

Present

The Honorable John Marshall Chief Justice.

William Cranch

Richard Peters

Brockholst Livingston

Thomas Todd

The case commenced last Term in the Circuit Court

Ex parte

Bollman & Swartwout

Charged &c.

Saturday January 11th 1806.

The Court met according to adjournment,

Present

The Honorable John Marshall Chief Justice.

William Cranch

Richard Peters

Brockholst Livingston

Thomas Todd

The case was further argued by Mr. Key

Mr. Lee and

Mr. Harper

and Mr. Ingersoll for the Defendants &

Mr. Rodney and Mr. Hoffman for the Prosecution,

The Court adjourned till Monday morning 12 o'Clock.

Monday February 13th 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} Associate Justices

Julius Terrell Esq. of Virginia, was duly admitted and sworn as a
Counsellor and Attorney of this Court

Mr. McKenney
Mr. Noah
} and Mr. Key moved for the Injunction

The Court adjourned till tomorrow morning 11 Oclock.

Tuesday February 14th 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} Associate Justices

William Hodgson
&
The Mayor &c of Alexandria
} This cause was argued by Mr. Swann for the
Plaintiff and Mr. Key for the
Defendants

The Court adjourned till tomorrow morning 11 Oclock.

Wednesday February 15th 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
[illegible] Associate Justices

[illegible] This cause was further argued by Mr C. Lee for the [illegible] and Mr Jones for the Dr of Alexandria & Plaintiff in the argument of this cause was not finished with the news from the Bench Lexington

The Court Adjourned till Tomorrow morning 11 O'Clock

Thursday February 16th 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Associate Justices

[illegible] Court was duly adjourned to sit as a Circuit Court of the United States

Bryan Fairfax's Exr. } This cause was argued by Mr Swann for the Plaintiff
Ann Fairfax } and by Mr C. Lee for the Defendant

[illegible] } This cause was argued by Mr C. Lee for the Complt
James Patton } and by Mr Swann for the Defendant

[illegible] } This cause was argued by Mr C. Lee for the Complt
Charles Turner's Exr } and Mr Simms for the Defendants

The Court adjourned this morning [illegible] O'Clock

Friday February 17th 1809.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
Associate Justices

[illegible] } This cause was further argued by Mr Wirt & Mr [illegible] for the Plaintiff & Mr Lee for the Defendant

Campbell Tessee } This cause was opened by Mr Hackley
[illegible] }

Monday February 28th 1820

Present

The Honorable John Marshall Chief Justice

Wednesday February 21st 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate Justices.

John Taylor } The Court heard Mr Johnson on the part of the
} Plaintiffs.

James Patton } The Court heard Mr Johnson on the part of the
} Plaintiff.

The Court adjourned till tomorrow morning 11 o'Clock.

Thursday February 22nd 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate Justices.

John Swan Esq. for the Defendant was duly admitted and sworn as Counsellor and Attorney of this Court.

Taylor & Quarles } This cause was argued by Mr. Key for the Plaintiffs
John Brown } & Mr. Pope & Mr. Swan for the Defendant.

The Court adjourned till tomorrow morning 11 o'Clock.

Friday February 23rd 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate Justices.

Taylor & Charles } This cause was further argued by Mr Brown
John Brown } for the Plaintiffs

The Court adjourned till tomorrow morning 10 o'Clock

Tuesday February 2d 1808

The Court met according to adjournment

Present

The Honorable [illegible] Chief Justice
[illegible]
[illegible]
William Robinson Esq
Brockholst Livingston Esq

Stephen Dundas }
John Dale } Esqrs } This cause was further argued by
Mr Brown

The Court adjourned till tomorrow morning 10 o'Clock

Wednesday February 3d 1808

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
[illegible]
[illegible]
[illegible]
[illegible]

Taylor & Charles } This cause was further argued by Mr Brown
John Brown } & the Plaintiffs Counsel for the Defendant

The Court adjourned till tomorrow morning 10 o'Clock

Monday February [illegible] 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate justices

Hepburn & Dundas } This cause was further argued by Mr
Caleb Swift } C. Lee for the Defendants

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday February [illegible] 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate justices

Hepburn & Dundas } This cause was further argued by Mr C. Lee
Caleb Swift } for the Defendants & Mr Hopkinson for the Complt

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday March 1st 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate Justices

Hepburn & Dundas } Mr Hopkinson concluded his argument in
Caleb Swift } this cause.

Robert Taylor } This cause was opened by Mr Martin

Thursday March 2d 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

William Johnson }
[illegible] } Associate Justices

[illegible] }
[illegible] } This cause was for the second time argued by Mr Hall for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock

Friday March 3d 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

Bushrod Washington }
[illegible] } Associate Justices
Brockholst Livingston }

Nathaniel Williams Esqr of Maryland was duly admitted Counsellor as an Attorney of this Court

[illegible] }
[illegible] } This cause was [illegible]
[illegible] } Defendant & Mr Martin for the Plaintiff
The Court adjourned till tomorrow morning 11 o'

Saturday March 4th 1809

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

[illegible] }
[illegible] } Associate Justices

[illegible] }
[illegible] }

Monday March 6th 1809.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing }
Bushrod Washington } Associate Justices
William Johnson }
Brockholst Livingston }

Gaston Fayaux } This cause was argued by Mr. Key & Mr. Pinkney for
& } Plaintiffs & Mr. Rodney Attorney General for the
The United States } Defendants and the argument not finished

The United States } This cause was argued by Mr. Attorney General for the
& } Plaintiffs & Mr. Harper & Mr. Martin for the Defendants
William Tillotson }

Richard Harrison } This cause was opened by
& }
[illegible] }

The Court adjourned till tomorrow morning 11 Oclock.

Tuesday March 7th 1809.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
[illegible]
Bushrod Washington } Associate Justices
William Johnson }
Brockholst Livingston }

Richard Harrison } The argument of this cause was closed by
& } Mr. Key for Plaintiffs & Mr. Rodney Attorney
Elias Glover and others } General for Defendants
}

The Court adjourned till tomorrow morning 11 Oclock.

Wednesday March 8th 1809.

The Court met according to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate Justices

Hebert vs
Ex Parte Peterson
} The cause was argued by Mr Jones for the Plaintiff and Mr Swann for the Defendant

William Yeates
&
Ex Parte Peterson
} This cause was argued by Mr Jones for the Plaintiff and Mr Swann & Mr Simms for the Defendant

Ethan Brown Allen
&
John Brown Allen
} Mr Simms argued the cause for the Plff

Matthew Rene
vs
Lessee Clark
} The cause was argued by Mr Swann Master for the Plaintiff and the Attorney General for the Defendants

The Court adjourned till tomorrow morning 11 oClock.

Thursday March 9th 1809.

The Court met according to adjournment.

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston
} associate Justices

Elias Jones Kinsale
Allen
vs
Lessee Eve Allen
} The cause was argued by Mr Martin & Mr Swann for the Plaintiff and Mr Key for the Defendant

Joseph Scott Plff
vs
Nicholas Thompson
} The cause was given up by Mr Scott

[illegible]

[illegible]

[illegible]

Present

The Court not according to adjournment

Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
William Johnson
Brockholst Livingston

Associate Justices

Richard Harrison
Henry Clay Esquire
} Counsel in the case of the Bank of Columbia

Charles Lee
Lowell & M'Lean
} Counsel in the case of Hepburn & Dundas

The Court adjourned till Tomorrow morning 10 o'clock

Wednesday March 15th 1808

The Court not according to adjournment

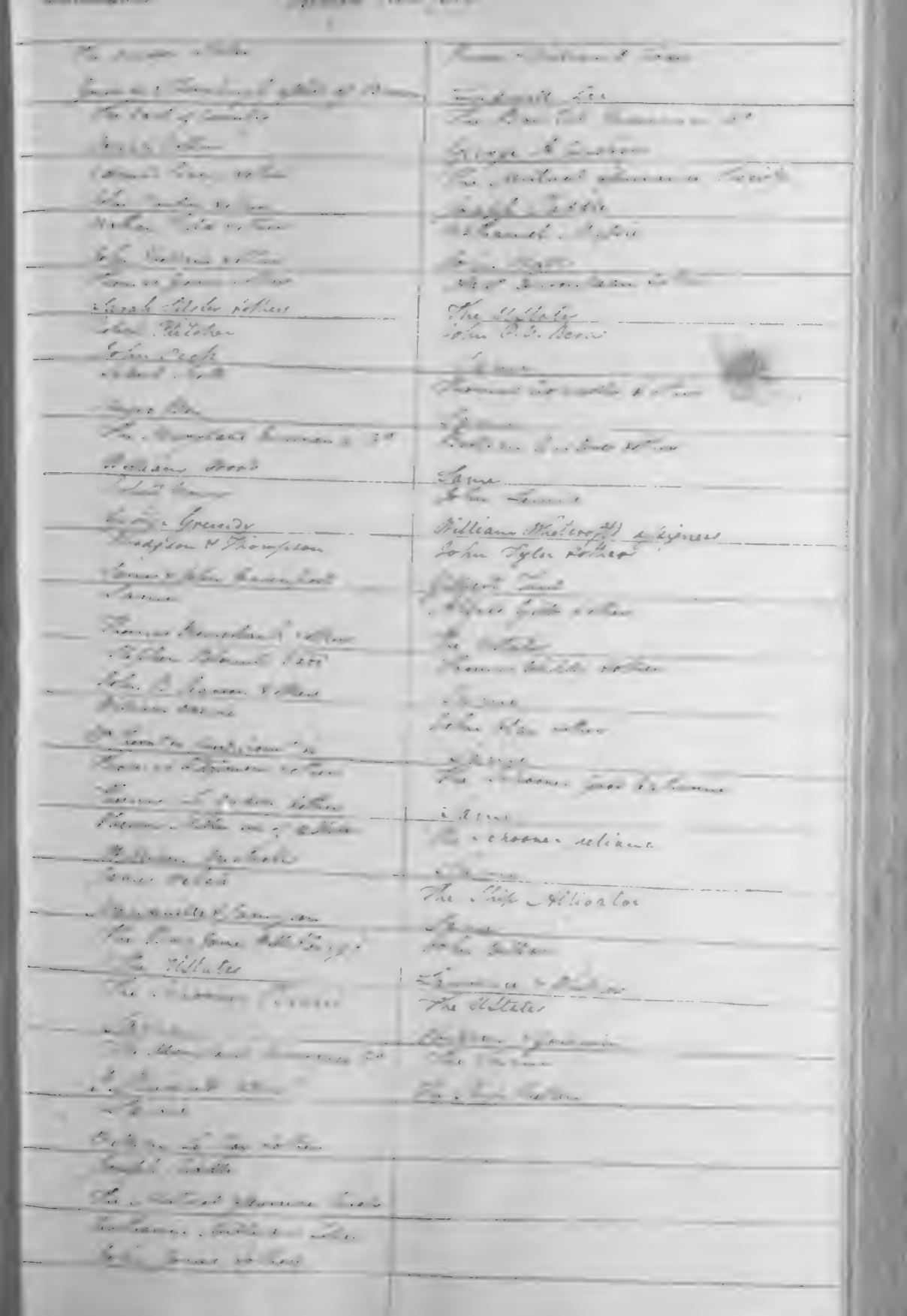
Present

The Honorable John Marshall Chief Justice
William Cushing
Bushrod Washington
Brockholst Livingston

Associate Justices

The Court having given opinions in a number of causes

Adjourned till Tomorrow



February Term 1809.

Entered Feb.

The Insurance Co. of North America

on motion of the Plaintiffs Counsel it is ordered that this cause be struck off — Jan. 8th

William C. Hicks Esqr. & Adams Hierbert Esqr.

on motion of the Attorney General the writ of error in this case is quashed, the same having improvidently issued, no writ of error lying from the [illegible] to the Supreme Court of the United States — feb. 6th

James Montfort

Wilson Grant

on motion of the Defendant in this cause James Montfort the Plaintiff in this cause was solemnly called, and not appearing. It is ordered that the said cause be and the same is hereby dismissed with costs — feb. 7th

Charles Alexander

The Mayor Aldermen & Commonalty of Alexandria

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia sitting in the County of Alexandria and was argued by Counsel On consideration whereof it is ordered that the judgment of the said Circuit Court be and the same is hereby reversed and annulled and that the said cause be remanded to the said Circuit Court for further proceedings to be had therein — feb. 8th

Alexander Henderson

Jno. Moore

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia sitting in Alexandria County and was argued by Counsel On consideration whereof it is ordered that the judgment of the said Circuit Court be and the same is affirmed with costs — feb. 8th

Isaac & John Manly
+
[illegible]

[illegible] Circuit Court of Maryland in this case is affirmed with costs and stay of execution for 60 days. Feb. 8th

[illegible]
&
James & John Smith

[illegible] by their Counsel the Judgment of the Circuit Court [illegible] is affirmed with costs and stay of execution for 60 days. Feb. 8th

Joseph Mandeville and [illegible]
[illegible]
William Wilson

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia sitting as a Circuit Court and was argued by Counsel on consideration whereof it is Ordered and adjudged that the Judgment of the said Circuit Court in the same is hereby affirmed with costs. Feb. 9th

Leonard & Thomas Hooke
[illegible]
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia sitting as a Circuit Court and was argued by Counsel on consideration whereof it is Ordered and adjudged that the Judgment of the said Circuit Court in the same is hereby affirmed with costs. Feb. 9th

John Tucker & James Mc. Tucker
[illegible]
William Carter

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia sitting as a Circuit Court and was argued by Counsel on consideration whereof it is Ordered and adjudged by this Court that the said Circuit Court erred in rendering a Judgment on the specialty for the sum of $143.33 instead of the sum of $16.63 which was the balance of the account for the debt due on said specialty after the payments were credited thereon. It is therefore considered by this Court that the said Judgment be reversed and annulled and that a Judgment be rendered in the District Court of the District aforesaid for the sum of $16.63 and the costs in the Circuit Court and that the cause be remanded to said Circuit Court.

John McAllister
v.
Noah Zane.

This cause came on to be heard on the Transcript of the Record of the Supreme Court in the State of Ohio and was argued by Counsel on consideration whereof, It is adjudged and ordered that the Judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs. Feb. 15

Heirs of
of Grace Kempe
v.
Robert Kinnear &
Executors

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of New Jersey and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. Feb: 20th

Thomas Hornady
v.
Jonathan Dennis

This cause coming on to be heard on the Transcript of the Record of the Circuit Court for the District of New Jersey and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. Feb: 20th

By Consent of the Counsel this suit is dismissed by order of Plaintiffs Counsel.

Thomas Fairfax &c. }
Devon Fairfax &c. } This cause came on to be heard on the Transcript
[illegible] of the Circuit Court of the District of Columbia sitting in Alexandria County and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court be and the same is hereby reversed and annulled and that the said cause be remanded to the said Circuit Court. fob: 21st

Robert Wallcott }
[illegible] } This cause came on to be heard on the Transcript
[illegible] of the Circuit Court of the District of Columbia sitting in Alexandria County and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum on the amount of the judgment of the said Circuit Court. fob: 23d

[illegible] }
[illegible] } This cause came on to be heard on the Transcript
[illegible] and was argued by Counsel on consideration whereof, It is the opinion of this Court that the said District Court erred in sustaining the demurrer of the Defendants, because the Defendants not having craved over of the condition of the bond in the said proceedings mentioned, the Plaintiff's action in the said District Court, the Plaintiff in Error assigned and alleged that the said judgment of the said District Court be void the same is hereby reversed also annulled and that the said cause be remanded to the Circuit Court of the [illegible] District of Kentucky for further proceedings to be had therein. fob: 24th

The Marine Insurance Co. }
[illegible] } 2
The Marine Insurance Co. } This cause came on to be heard on the transcript
[illegible] of the Circuit Court of the District of Columbia sitting in Alexandria County and was argued by Counsel on consideration whereof, It is the opinion of this Court that the said Circuit Court erred in the judgment rendered by the said Circuit Court in favor of the Plaintiffs in error for the sum of [illegible] dollars and [illegible] cents with interest thereon at the rate of six per centum per annum from the [illegible] day of [illegible] 1815 and the costs of the said suit. It is therefore considered by the Court that the said judgment be reversed and annulled and that the said cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

January Term 1824

Circuit below on the sixth plea in the said proceedings mentioned be and the same is hereby reversed and annulled and that judgment in the said Circuit Court be entered for the Plaintiff on the said sixth plea, and that the said cause be remanded to the said Circuit Court for further proceedings to be had thereon. Feb: 24th

The United States
for the use of
Edward Evans and
Benjamin Price
vs.
Thomas Hooe

This cause came on to be heard on the Transcript of the Record of the District Court of Kentucky and was docketed and continued on consideration whereof. It is adjudged and ordered that the judgment of the said District Court in this cause be and the same is hereby affirmed. Feb: 27th

The Marine Insurance Co. of Alexandria
vs.
James Young.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia for the County of Alexandria and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the judgment of the said Circuit Court. Feb: 28th

Griffin Taylor
vs.
The Heirs of Daniel
Mc Donald
John Brown

This cause came on to be heard on the Transcript of the Record and proceedings of the District Court of the United States for the District of Kentucky and was argued by Counsel on consideration whereof. It is Ordered & Decreed that the Decree of the said District Court in this case be and the same is hereby reversed and annulled: and it is further Ordered and Decreed that the Defendant John Brown do release to the Plaintiffs respectively the Lands in the Pleadings & Proof which lie within the lines of the Lands surveyed for M Donalds heirs to them respectively and that the said cause be remanded to the said Circuit Court.

John Patrick
vs.

Upon the question on this cause ordered to this Court from the Circuit Court of Kentucky the Judges of the said Circuit Court were divided in opinion on the question of the jurisdiction of the said Circuit Court in this case. It is ordered by the Court that the said Circuit Court have jurisdiction of the said cause. March 6th

Redford
Craig

The Plaintiff and Defendant in this cause being severally called and not appearing, It is ordered that this suit be and the same is hereby dismissed — March 6th —

Jesse Parks
Bastrop &c

Same entry. — March 6th

Samuel Tompkins
Tompkins &c

Same entry. — March 6th

James Buckhannon
Richard Gates

Same entry. — March 6th

Pulaski & Wash Pringle

[illegible] Letters Testamentary are liable for the damages & costs within the meaning & contemplation of several acts of Congress. It is ordered to be certified to the said Circuit Court that the words copper bottoms turned up at the edge are not liable for the payment of duties within the meaning and contemplation of several acts of Congress. — March 7th

Same
Same

It is ordered that the writ of error in this case be and the same is hereby dismissed there being no citation — is

William Seaton &
Robert Greenes Claimts
of the Ship Gut Packet
Cargo &c
The United States

This cause came on to be heard on the transcript of the Record and was argued by Counsel on consideration whereof the Court is of opinion that an appeal from the Sentence of a Court of Admiralty brings the whole case before [illegible] Court and that the Libel [illegible] and that a sentence of confiscation cannot be pronounced on account of a forfeiture which accrued under a law not in force at the time of pronouncing such sentence unless the same Statute [illegible] enforce such forfeiture be passed. The Court is therefore of opinion that the sentence of confiscation in this case by the District Court of Maryland cannot be affirmed on the ground of the Statute of the 3d of March 1819 [illegible] and that the Libel be dismissed. But the Court is of opinion that the Libel be retained in order that the Claimants may have the option [illegible] to the claim and thus bring the matter before the Court [illegible]

Caldwell v. Libbie Hillman
Claimants of the Schooner
Libbie

This cause came on to be heard on the transcript of
the record and was argued by counsel on consideration
whereof the court is of opinion that the appeal from the
sentence of the district court of Admiralty brings the whole cause
upon the appeal to this court unaffected by the sentence from which
the appeal is made and that a sentence of condemnation cannot be
pronounced in favour of any libel which accrued under a law
not in force at the time of pronouncing such sentence, unless by some
statutory provision the right to enforce such forfeiture be reserved:
And this court is further of opinion that the sentence of
affirming the sentence of the judge of the District court in this
cause by the decree of the Circuit court for the District of
proper sentence doth direct that the libel be dismissed, and
the property libelled be restored to the claimants they paying the
duties thereon of the same have not been already paid: And on
the motion of the attorney general it is ordered
on the opinion of this court there was probable cause of seizure.

March 1st

Brig Sarah Christiana
Peterson Petitioner
v
The United States

This cause came on to be heard on the transcript of
the record and was argued by counsel on consideration
whereof the court is of opinion that an appeal from
the sentence of a court of Admiralty brings the whole case before
the appellate court unaffected by the sentence from which the appeal
is made and that a sentence of condemnation cannot be pro-
nounced in favour of any libel which accrued under a law
not in force at the time of pronouncing such sentence, unless
by some statutory provision the right to enforce such forfeiture
be reserved: And this court is further of opinion that the sentence
pronounced in this cause by the Circuit court for the District of
affirming the sentence of the judge of the District court in
this cause by the decree of the Circuit court for the District of
to pronounce the proper sentence doth direct that the libel be
dismissed, and the property libelled restored to the claimants except
as to such part thereof as may be necessary for the payment of the
duties which have accrued thereon, which part is to be sold
by the marshal of this district and the proceeds thereof brought
into this court to abide the further direction of this court: and on the motion of the attorney General, it is ordered

[illegible] Bronaugh Gerard Banks
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] for the benefit of Abbot
[illegible] the [illegible]
Backhouse &c.

appellant

[illegible] Peter William Fitzhugh surviving obligee of Adam Hunter [illegible] Peter Fitzhugh & Andrew Backhouse

[illegible] to be certified to the said circuit court as the opinion of this court that the circuit court for the said District of Virginia [illegible]

March 9th

The United States

The Merchandize of the Ship [illegible]

This cause came on to be heard on the Transcript of the Record and was argued by counsel on consideration whereof it is adjudged and ordered that the judgment of the circuit court for the District of Columbia in the County of Alexandria in this cause be and the same is hereby affirmed

March 9th

[illegible] Peter Young

This cause came on to be heard on the transcript of the record of the circuit court for the District of Columbia in the County of Alexandria and was argued by counsel on consideration whereof it is ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the judgment of the said circuit court.

March 10th

William Deaton

This cause came on to be heard on the transcript of the record of the circuit court for the District of Columbia in the County of Alexandria and was argued by counsel on consideration whereof it is ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the judgment of the said circuit court.

March 10th

John James Rhinelander Phillips
Libelant
vs
The Sarah and her cargo
Claimants

This cause came on to be heard on the transcript of the record and on motion of Mr. Holmes for the libelant and was argued by counsel on consideration whereof it is ordered and decreed that the Sarah with her cargo were seized without the territorial limits of the United States by the Revenue Cutter Dompatch for the breach of a municipal regulation, and having never come within the limits of the United States were not liable to seizure and forfeiture for a violation of the laws of the United States, as having violated the laws for regulating the commerce & intercourse between the United States and foreign countries, & it is the opinion of this Court, that the seizure of the Sarah and her cargo is to be considered as a marine tort, & as not vesting the possession in the sovereign & the Captor acquiring jurisdiction to the Court which [illegible] and that the sentence did not change the property in the Sarah and her cargo, which ought to be restored to the Claimants the original owners, subject to those charges of freight, insurance and other expenses which would have been incurred for the owner on bringing the cargo into the United States which equitable deductions the Respondents are at liberty to shew in the Circuit Court. This Court is therefore of opinion that the sentence of the Circuit Court of South Carolina ought to be reversed and the cause remanded to that Court in order that a final decree may be made [illegible]

And it is

Decree

Thomas M'Kean ... vs ... Marquand Robinson

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania, and was argued by Counsel, on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs. March 11th.

... vs ... Hopkins

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of ... and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

March 11th

Joseph ... survivor ... Joseph Mandeville vs Robert ... Jameson

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the County of Alexandria, and was argued by Counsel on ... of the said Circuit Court dismissing the bill of the Plaintiffs is erroneous and ought to be reversed, and this Court doth ... Decree as the said Circuit Court ought to have given, doth Decree and order that the Defendants do pay to the Plaintiffs ... the amount of the note in the bill mentioned, together with interest from the ...

March 13th.

... vs ...

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of ... and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this cause be affirmed with costs and damages ...

This cause came on to be heard on the Transcript of the Record of the District Court for the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof It is adjudged and ordered that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum, to be computed [illegible] March 13th

This cause came on to be heard on the Transcript of the Record of the District Court of the District of Columbia for the County of Alexandria, and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs. March 15th

Caleb Swings &c

Edward Norwood's Lessee

This cause came on to be heard on the Transcript of the Record of the District Court of Appeals of the State of Maryland for the Western Shore &c. and was argued by Counsel on consideration whereof, It is adjudged and ordered that the writ of error in this case be and the same is hereby dismissed, it not appearing that the Supreme Court has jurisdiction in the said cause. March 15th

The Brig Eleanor Stimbal &c.

Charles Chrisman et al

This cause came on to be heard on the Transcript of the Record of the District Court of Maine and was argued by Counsel on consideration whereof [illegible] the said District Court in this cause be and the same is hereby affirmed and it is further ordered that the Libellant do recover against the Respondents his costs in this behalf expended and that the Libellant have execution therefor. March

This cause came on to be heard on the Transcript of the Record of the District Court of [illegible] and was argued by Counsel on consideration whereof [illegible]

James Bailey & James Hughes
v.
John Taylor et al

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof this Court is of opinion that the Decree of the Chancellor complained of in the proceedings and Decree mentioned was erroneous in decreeing that the Defendants should convey to the Complainants the lands in the Decree of the District Court of Huntingdon that the said settlement ought to be on the East side of the road called for in the said settlement and not on the West side thereof. And this Court is of opinion that the lines running from the ends of the road to enclose the quantity of land required to satisfy the claims ought to be at right angles with the general course of the road, so that the whole quantity of 300 acres shall be on the East side of the road in a square of which the road reduced to a straight line shall constitute the base.

This Court is further of opinion that the land of Ambrose Malden ought to be laid off in a square upon the Eastern line of the said settlement that is on the line opposite the road, so that the centre of that line shall constitute the centre of the base line of the square.

This Court is further of opinion that the centre of John Malden ought to be so founded as to take in land in equal quantities on the South and South East of Ambrose Malden. To effect this the North Western line of Ambrose, or that on which Simon Johnson is to be continued Southwardly, and a line is to be run due East from the North Eastern corner of Ambrose Malden's land until a line parallel to the South Eastern side of Ambrose Malden will intersect a line drawn South East from the extremity of Ambrose Malden's North Western line so far continued as with the other lines which have been mentioned to include 300 acres in the quantities on the South and South East side of Ambrose Malden.

This Court is of opinion that the centre of John Taylor's claim ought to be founded on a square of 100 Chains on each side from the base and so to include the lines drawn on the general plat and agreed to have been built by Jacob Brinner & Simon Butler. If a square formed on the whole line shall contain more than three thousand acres it is to be formed on the Southern end thereof that the quantity of land in the square formed on the Northern line shall contain less than 300 acres then the quantity is to be made up by two lines drawn from and perpendicular to the Northern line of the square until a tract can be found which shall contain the quantity

William Hopkinson & John Dundas
v.
Colin Auld

This cause came on to be heard on the transcript of the Record of the Circuit Court of the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

March 14th

William Hopkinson & John Dundas
v.
Colin Auld

This cause came on to be heard on the transcript of the Record of the Circuit Court of the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

March 14th

Colin Auld
v.
John Dundas

This cause came on to be heard on the transcript of the Record of the Circuit Court of the District of Columbia and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed, and the Court proceeding to render such judgment as the said Circuit Court should have rendered do further adjudge and order that the said Dundas recover of the said Auld the sum of two thousand [illegible] dollars and [illegible] cents to be discharged by the

March 14th

M'Kean — Error to Alexandria

This cause came on to be heard on the transcript of the record of the circuit court for the district of Columbia in the county of Alexandria, and was argued by counsel, on consideration whereof, it is adjudged and ordered that the judgment of the said circuit court in this cause be and the same is hereby affirmed. March 15th

Daniel C. Brent — Error to Alexandria
George Chapman

This cause came on to be heard on the transcript of the record of the circuit court for the district of Columbia in the county of Alexandria and was argued by counsel, on consideration whereof, it is adjudged and ordered that the judgment of the said circuit court in this case be and the same is hereby affirmed with costs. March 15th

The President Directors & Co. of the Bank of the United States — Error to Alexandria
Thomas Swann

This cause came on to be heard on the transcript of the record of the circuit court for the district of Columbia and was argued by counsel, on consideration whereof, it is adjudged and ordered that the judgment of the said circuit court in this case be and the same is hereby reversed and annulled, and that the plea in abatement be overruled, and that the said cause be remanded to the said circuit court. March 15th

The President &c of [illegible] — Error to [illegible]

This cause came on to be heard on the transcript of the record of the circuit court of the district of Columbia and was argued by Counsel, on consideration whereof, it is adjudged ordered that the judgment of the said circuit court in this case be and the same is [illegible] and it not appearing to this court that the said circuit court had jurisdiction in said cause. March 15th

Baron Von Lindenspeir — Error to [illegible]

upon the question in this cause [illegible] such a warrant as appears to be [illegible] ment as the [illegible]

February Term 1809.

March 10

Richard Harrison

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, this Court is of opinion, that the United States are entitled to a preference over all other claimants to the full extent of the debt and sum due to them, and doth direct

The Court is further of opinion that the creditors who have obtained the said under the laws of the State of South Carolina have acquired a lien on two thirds of the property, that being the proportion of the British partners who have not been declared bankrupts in the United States, and that their claims ought to be satisfied out of that fund according to the priorities they may have acquired under the laws of that State.

The Court is further of opinion that the assignment of [illegible] agrees to the assignees of Robert Hyrne & Co. is subject to the equitable rights of the creditors who claim under the assignment to Richard Harrison to be placed on an equal footing with respect to past as well as future dividends with those who have proved their debts under the commission of bankruptcy issued against the said Robert.

The Court is further of opinion that the said deed of assignment is of no further validity than to secure such equitable dividend as to above mentioned.

The Court is further of opinion, that the surplus of the said two thirds of the said debts, after the claims of the aforesaid creditors shall be satisfied, belongs to the assignees of Robert Hyrne & Savage in England. The assignees of the said Robert Hyrne & Co. in the United States, upon the payment of the sums to be received by the dividends which have been made, or may be produced by the sales of the property of the said Robert Hyrne & Co. in the United States, to the assignees in England for the United States.

and this Court doth reverse the Decree of the Circuit Court so far as the same is inconsistent with this Decree and doth affirm it as to the residue, and remand the cause to the said Circuit Court for further proceedings to be had therein in order to a final Decree.

March 15th

On motion of the Plaintiff in error by his Counsel it is ordered that the writ of error in this cause be dismissed with costs and that the mandate issue forthwith.

Attest: [illegible]

On motion of the Plaintiff, the Plaintiff in this cause is allowed to withdraw his appeal. It is ordered that the suit

March 15th

Matthew Stone
vs
The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof it is adjudged ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. March 14th

Charles Wadsworth
vs
The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum included in the amount of the judgment of the said Circuit Court. March 14th

[illegible] Court met pursuant to adjournment [illegible]
[illegible] on the first Monday being the fifth
[illegible] Court met pursuant to adjournment

Present

The Honorable John Marshall Chief Justice
William Johnson }
Thomas Todd } Associate Justices

[illegible]

Tuesday February 6th 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington }
[illegible] } Associate Justices
Brockholst Livingston }
Thomas Todd

Abijah Hall
vs
Aspasio Bacon
} This cause was argued by Mr. [illegible] for the Plaintiff
& by Mr. [illegible] for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock

[illegible] 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington }
William Johnson }
[illegible] } Associate Justices
Thomas Todd

Nathan Pulbrothers
vs
[illegible]
} This cause was argued by Mr. Jones for the Plaintiffs & by Mr. [illegible] for the Defendants

The Court adjourned till tomorrow morning 11 o'Clock

Thursday February 8th 1810

The Court met according to Adjournment

Present

The Honorable John Marshall Chief Justice

Bushrod Washington }
William Johnson }
Brockholst Livingston } Associate Justices
Thomas Todd }

Nathan Fiske Esqr } This cause was further argued by Mr Hopkinson
John Holland Esqr } for the Plaintiff

[illegible] } This cause was argued by Mr [illegible]
William Wood } for the Plaintiffs by Mr Hopkinson for the Defendt

The Court adjourned till tomorrow morning 11 oClock

Friday February 9th 1810

The Court met according to Adjournment

Present

The Honorable John Marshall Chief Justice

Bushrod Washington }
William Johnson }
Brockholst Livingston } Associate Justices
Thomas Todd }

The Maryland Insurance Co } This cause was further argued by Mr Hopkinson
William Wood } for the Defendant by Mr Martin for the Plaintiffs

Robert Fraser & Co } This cause was opened by Mr [illegible]
[illegible] }

The Court adjourned till tomorrow morning 11 oClock

Saturday February 10th 1810

The Court met according to Adjournment

Present

The Honorable John Marshall Chief Justice

[illegible]

Williams Neale

&

[illegible]

This cause was argued by Mr. Key & Mr. Wirt for the Plaintiff & by the attorney general & Mr. Jones for the Defendant.

The Court adjourned till Monday morning 11 o'Clock.

Saturday February 2d

The Court met according to adjournment

Present.

The Honorable John Marshall Chief Justice

Bushrod Washington

William Johnson

[illegible]

Thomas Todd

[illegible]

Catharine Milligan

&

John James Otteau

This cause was argued by Mr. Key for the Plaintiff & Mr. Ingersoll, for the Defendants.

Elisha Stein

&

The Delaware Insurance Co. of Pennsylvania

Mr. Ingersoll proceeded to open the

The Court adjourned till tomorrow morning 11 o'Clock.

Sunday February 3d

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

[illegible]

William Johnson

Brockholst Livingston

} Associate Justices.

[illegible]

Elisha Stein

&

The Delaware Insurance Co.

This cause was further argued by Mr. C. J. Ingersoll for the Plaintiff & Mr. Binney & Mr. Hopkinson for the Defendants.

The Court adjourned till tomorrow morning 11 o'Clock.

The Court not according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson

The Maryland Insurance Co.
vs.
Herman Le Roy Settus

Diminution & certiorari is awarded.

Elisha Hiry
vs.
The Delaware Insurance Co.

This cause was further argued by Mr Harper for the Plaintiff.

William Whelen & Sons
vs.

This cause was argued by Mr Jarrell & Mr Swann for the Plaintiff.

The Court not according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston } Associate Justices
Thomas Todd.

Robert Oliver
vs.
John Leeds.

This cause was argued by Mr Martin for the Plaintiff & by Mr Hopkinson & Mr Harper for the Defendant.

Tuesday February 13th 1810.

The Court not according to adjournment

Present

The Honorable John Marshall Chief Justice

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Saturday February 17th 1810.

The Court met according to adjournment

Present

The Honorable [illegible] Chief Judge
Bushrod Washington
William Johnson
Brockholst Livingston } associate Justices
& Thomas Todd }

[illegible]

[illegible]

Brockholst Livingston &
Robert Goodloe Harper
The Maryland Insurance Co } [illegible]

William Cranch
& } This cause was argued by Hopkinson & Key for the Plaintiffs & Mr Williams for the Defendants
Robert Gordon & Wife }

Charles M Enright
& } This cause was argued by Mr Key for the [illegible] & by Mr Swann for the [illegible]
[illegible] }

The Court adjourned till Monday morning 10 o'Clock

Monday February 19th 1810.

[illegible]

The Honorable [illegible] Chief Judge
Bushrod Washington
William Johnson } associate Justices
[illegible] }

Daniel B. Brent

Tuesday February 20th 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Thomas Fitzsimons
& others

Thomas L. Ogden & others

This cause was opened by Mr. Sedgwick

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday February 21st 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Thomas Fitzsimons
& others

Thomas L. Ogden

Mr. Sedgwick closed the opening of this cause

Thursday February 22d 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

This cause was further argued by Mr Hopkinson for the Plaintiffs

The Court adjourned till tomorrow morning 11 O'Clock.

Friday February 23d 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

This cause was further argued by Mr Hopkinson for the Plaintiffs

The Court adjourned till tomorrow morning 11 O'Clock.

Saturday February 24th 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
& Thomas Todd

Associate Justices

This cause was further argued by Mr D. B. Ogden for the Defendants

The Court adjourned till Monday morning 11 Oclock.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
} associate Justices

Thomas Gilpin & others
Thomas D. Ogden & others
} This cause was further argued by Mr Lewis for the Plaintiffs

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday February 27th 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
} associate Justices

Thomas Gilpin & others
Thomas D. Ogden & others
} This cause was further argued by Mr Lewis for the Plaintiffs

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday February 28th 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
} associate Justices

Mr Martin
Mr Key
} Mr Lewis
Mr Winder
} in these charges a Motion was made to

1812

The Court met according to adjournment

Present

The Honorable John Marshall, Chief Justice
[illegible]
William Johnson
Brockholst Livingston
Thomas Todd
} Associate Justices

John Rutherford Esqr
v
The Executors of James
Craike Esqr.
} This cause was argued by Mr Key for the plaintiff and by Mr [illegible] for the defendants

William Russell Esqr
v
James Thomson
} This cause was argued by Mr Jones and by Mr [illegible]

The Marine Insurance Co
of Alexandria
v
William Hodgson
} This cause was opened by Mr [illegible]

The Court adjourned till tomorrow morning 11 O'Clock

Friday March 13th 1812

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
[illegible]
William Johnson
Brockholst Livingston
Thomas Todd
} Associate Justices

The Marine Insurance Co
of Alexandria
v
William Hodgson
} This cause was further argued by Mr Key and Mr Jones for the plaintiffs and by Mr B. S. Lee for the defendant.

Robert Brent Executor of
Gerard Brent deceased
v
Gerard Brent
} This cause was argued by Mr B. S. Lee for the plaintiffs in Error and by Mr [illegible] for the defendant

Gerard Brent
v
Robert Brent
} This cause was argued by Mr [illegible] for the plaintiff in Error and by Mr [illegible] for the defendant

Saturday February 3rd 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
[illegible]
William Johnson
Brockholst Livingston
Thomas Todd
} Associate Justices

Henry Williams Esqr. } On motion of the Defendant by his counsel it is
[illegible] } ordered that the Judgment [illegible] which has been entered in this cause be stricken out & that the
cause be placed on the docket and [illegible] on the part
of the Defendants [illegible] to plead the same.

Ambrose Hefse }
[illegible] } This cause was argued by Mr Key & Mr Jones for the
Plaintiff & by Mr Swann for the Defendant.

George W. Campbell }
[illegible] } This cause was argued by Mr Key & Mr Swann
for the Plaintiff & by Mr Hopkinson & Mr Phillips for the
Defendants.

The Court adjourned till Monday morning 11 o'Clock.

Monday March 5th 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Gabriel Duvall
[illegible]
Thomas Todd
} Associate Justices

Henry Irwin }
[illegible] } This cause was argued by Mr Swann for the
Plaintiff & by Mr Key & Mr Jones for
the Defendant.

[illegible]

Wednesday March 6th 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
[illegible]
& Thomas Todd

Associate Justices

[illegible] } This cause was further argued by Mr Jones
Adam Lyon } for the Plaintiff.

Samuel Delbatto } This cause was argued by Mr Swann for
[illegible] } the Plaintiff & by the Attorney General
[illegible] } for the Defendant.

James Hughes } This cause was argued by Mr Wirt
Mandeville Hungerford } & Mr Jones for the Plaintiff.

The Court adjourned till tomorrow morning 11 o'Clock.

Thursday March 7th 1810.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
[illegible]
& Thomas Todd

Associate Justices

James Hughes } This cause was further argued by Mr Jones
Mandeville Hungerford } for the Plaintiff & by Mr Jones for the Defendt.

The United States }
The Bank of Alexa } on motion of Mr Harper leave is granted to the Defendants
} to file affidavits in this cause, that the matter in dispute in this case
exceeds the sum of Two thousand dollars exclusive of costs. That the
affidavits on the Defendants part be filed in the Clerks office of this Court
in Virginia. Clerk as to affidavits to be mutual. Ten days notice to the opposite party or their Counsel

George Hallowell Esqr }
& [illegible] Esqr } The Court heard Mr Wirt on behalf of the Defendants
[illegible] & Gilchrist } Mr Hopkinson opened this cause.
The Attorney General }

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

Bushrod Washington

William Johnson } Associate Justices

Thomas Todd.

Mr Key for the Plaintiff } This cause was further argued by Mr Eagle

Mr Harper for the Defendants } for the Plaintiff & by Mr Harper for the Defendants

The Court adjourned till tomorrow morning 11 o'clock

Friday March 9th 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

Bushrod Washington

William Johnson } Associate Justices

Thomas Todd

Mr Key for the Plaintiff } The cause was further argued by Mr Key

Mr Maryland, Attorney Gl } & Pinkney, Attorney Gl for the Defendants.

The Court adjourned till tomorrow morning 11 o'clock.

Saturday March 10th 1810

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice

Bushrod Washington

William Johnson } Associate Justices

Thomas Todd

Mr Key for the Plaintiff } The cause was further argued by

Mr Maryland Attorney } Mr Pinkney for the Defendants &

Gl } Mr Key for the Plaintiff

The Court adjourned till Monday morning 11 o'clock

Monday March 12th 1810.

The Court met according to adjournment
Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

The Shepherds Lessee
vs
Lessee of Peck

This cause was argued by Mr Martin for the Plaintiffs Plff in Error & Mr Hooper for the Defendant

Hepburn & Dundas Plaintiffs in Error
vs
Ellzey

This cause was argued by Mr Martin for the Plaintiffs in Error & Mr Hooper for the Defendt

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday March 13th 1810.

The Court met according to adjournment
Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

Hepburn & Dundas Plaintiffs in Error
vs
Ellzey

This cause was further argued by Mr Martin for the Plaintiffs in Error & Mr Hooper for the Defendt

Smith & Northerlow
vs
The State of Maryland

This cause was argued by Messrs Johnson & Jones for the Plaintiffs and by Messrs Chapman & Key for the Defendants

The Court adjourned till tomorrow morning 9 O'Clock

Wednesday March 14th 1810.

The Court met according to adjournment
Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd

Stephen Girault claimant
&c. &c. &c.

the District of Connecticut, do proceed to sell in the manner and form prescribed by the Decree of the circuit Court for the District of Connecticut the Ship named in the libel and information in the said cause and first to return the proceeds of the same subject to the final order and Decree of this Court or of the Court below to which this cause may be remanded.

And that commissions issue on libel order to be issued to the Marshal to his Deputy and Samuel Miles Hopkins Esqr. in the usual manner to take the depositions of witnesses to be read on the hearing of this cause in this Court. And also that commissions issue in the manner & form to have evidence to be directed to these Parties.

Diminution was likewise suggested by Mr. Otter of Counsel for the appellants & the depositions and evidence read in the trial of this cause in the Circuit Court & certain proceedings which are printed & made part

The Sloop Active & Cargo
The United States
} Same order

The Schooner Paulina
The United States
} By consent Commission to issue on libel & claim in the case directed to David M. Barnes Esqr. & Commissioner to take & transmit to Court the depositions of witnesses on notice to the District Attorney of Rhode Island & the Claimant or his Attorney

Alexander Thompson & others
The United States
} The question of the jurisdiction of this Court in this case being an appeal from the District of Rhode Island was argued by Hopkins & Ingersoll for the Appellants & by the Attorney General & Mr. Dexter for the Appellees

John Tyler Esqr. & others
Gilbert Veal
} This cause was argued by Mr. Sedgwick for the Appellants & by Mr. Faulkner for the Appellees.

The Schooner Fabius
The United States
} This cause was argued by Mr. Hopkins

The Court adjourned till tomorrow morning 11 o'clock

Francisco Peralta Esqr.
The United States
} This is a motion by Mr. Dunlap one of the Counsel for the Appellees for a Commission to take depositions on behalf of the Appellees in certain cases & it appearing that the said Peralta the Appellee resides out of the United States it is ordered that the said Commission issue

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
} Associate Justices

Alexander Armstrong
vs
The United States
} This cause was argued by the Attorney Genl for the Plff. and by Mr Hopkinson for the Defendant.

Thomas Swann Esqr
for the United States
} This cause was opened by Mr Livingston

The Court adjourned till tomorrow morning 10 oClock

Friday March 9th 1813

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
} Associate Justices

Louis Terrel Lanothe
vs
James Petot Heirs
} This cause was argued by Mr Livingston for the Plffs: & by Mr Hopkins for the Defendants.

The United States
vs
Jacques Pedesclaux & al
} This cause was argued by Mr Swann Attorney for the United States & by Mr Hopkins for the Defendants.

The Court adjourned till tomorrow morning 10 oClock

Saturday March 10th 1813

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
} Associate Justices

On motion of Mr Swann Attorney for the United States it is ordered by the Court that the Marshal of the District of Louisiana do cause the Records of the Court of Appeals for the District of Louisiana to be brought into this Court forthwith that the same may be filed in the Office of the Clerk of this Court.

The Court then pronounced their several Judgments and Opinions.

Ordered, that upon the reversal of the judgment or decree of the Circuit Court, the party in whose favor the reversal is, shall recover his costs in the Circuit Court

February Term 1810

Thomas Jones plaintiff in error
and Caleb Swan defendant in error

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia for the County of Washington, all which being seen and inspected the Court is of opinion that the said Circuit Court erred in instructing the Jury that the Defendant in this Court is entitled in law to claim that the entry made in the books of the Auditor of the Treasury of the United States of three years previous to his importation must be taken to be prima facie evidence that the duties on the goods imported by him had been paid to the Collector of the District of Georgia and remanded by the Circuit Court of the United States for the District of Columbia and that the said Circuit Court be directed to award a venire facias de novo and that the cause be remanded to that Court for a new trial. feb: 7th

Robert Young surviving partner of Robert Young deceased
and
George Forrest

Upon the motion of the counsel for the plaintiff in error and it appearing to the Court that the cause has been improperly docketed and not prosecuted with effect. It is ordered that the Supreme Court has jurisdiction in said cause. feb: 10th

John Pearson & George Pearson
and
James & John Davenport

On the motion of the counsel for the plaintiff in error it is ordered that this cause be and the same is hereby dismissed with costs. feb: 10th

Thomas Arnold plaintiff in error
and

On the motion of the counsel for the plaintiff in error it is ordered that this cause be and the same is hereby dismissed with costs. feb: 12th

Martin Gilbert Thomas Arnold James Hunter Lewis & Morris Ashton
and
John Barnes & Thomas Ewing partners trading by the name style & firm of John Barnes Ewing & Co

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. feb: 12th

Thomas Arnold Esq. plaintiff in error
and
James Hunter Lewis & Morris Ashton

The Writ of error in this cause having been returned and called but appearing: It is ordered that the writ of error be and the same is hereby dismissed with costs. feb: 12th

The United States
and
The Schooner Romance her tackle apparel & furniture

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania and was argued by Counsel on consideration whereof it is ordered

William Veale

This cause came on to be heard on the Transcript of the Record [illegible] and was argued by Counsel. On consideration whereof, it is the opinion of this Court, that there is no error in the judgment of the said Circuit Court in this, that the said Circuit Court refused to give the opinion prayed for by the Defendant in that Court, that on the whole matter given in evidence by the Plaintiff in that Court, the Plaintiff in that Court could not support their action. But that there is error in this, that the said Circuit Court refused to give the opinion prayed for by the Defendant in that Court, that on the whole matter given in evidence by the Plaintiff in that Court, the Plaintiff in that Court could not support their action. It is therefore considered by this Court, that the judgment of the said Circuit Court be reversed and annulled, and that this cause be remanded to the said Circuit Court for a new trial. Feb: 13th

The Maryland Insurance Co.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Maryland, and was argued by Counsel, all which being seen and considered, this Court is of opinion, that there is error in the Record and proceedings of the said Circuit Court in this, that the said Court refused to give the opinion prayed for by the Defendants in that Court, stated in their seventh exception. It is therefore considered, that the judgment of the said Circuit Court be reversed and annulled and that the cause be remanded to that Court to be further proceeded in according to law. Feb: 18th

Charles M: Knight

John C. Vandenheuvel

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia, in the County of Alexandria, and was argued by Counsel. On consideration whereof, It is adjudged and decreed that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and that this cause be remanded to the said Circuit Court. Feb: 19th

The Commonwealth of Kentucky

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Virginia, and was argued by Counsel. On consideration whereof, It is ordered and decreed that the Record and proceedings in this cause be and the same are hereby dismissed this Court, with costs. Feb 22d

[illegible] by the Court and by consent of parties in this case
[illegible] three thousand six hundred and nineteen dollars & [illegible] cents with interest on three thousand one hundred [illegible] dollars & sixty three cents from the [illegible] day of [illegible] dollars & [illegible]

Philip Dickinson
vs.
[illegible]

Benjamin H. Brewer
[illegible]
William Waterfall

This cause came on to be heard on the transcript of the [illegible] and was argued by counsel, on consideration whereof the court is of opinion, that the bond in the proceedings mentioned was not assignable under the laws of Virginia: It is therefore adjudged and ordered, that the judgment of the said Circuit Court in this case be and the same is hereby reversed & annulled; and the [illegible] Circuit Court should have rendered. It is further adjudged and ordered that the said Circuit Court do [illegible] decree in the above cause, be & is reversed.

Isaiah Lewis Claimant
of the Schooner Gottenburgh
vs.
The United States

Upon the questions in this cause referred to this Court from the Circuit Court of Maryland, upon the prayer of the Claimant in the said Circuit Court "to order the "same retained pursuant to the mandate in this case to be paid to "him, upon the ground, that as the United States were not bound "to pay drawbacks on the said liquor, and the owner or claimant "could by the circumstances aforesaid procured from the revenue "[illegible] [illegible] [illegible] [

United States

argued by Counsel on consideration whereof it is ordered and decreed by this Court that the decree aforesaid of the said Circuit Court in this cause, be, and the same is hereby affirmed, with costs. feb. 28th

Daniel C. Brent

This cause came on to be heard on the Record of the Circuit Court of the District of Columbia for the County of Alexandria, and was argued by Counsel on consideration whereof it is ordered and decreed by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs. feb 28th

William Stewart Junr

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of Columbia for the County of Alexandria, and was argued by Counsel. On consideration whereof it is adjudged and decreed by this Court that the judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs. feb 28th

Alexander Britold & John Smith

vs

Exrs of John Catlett dec'd

It is adjudged and ordered that the judgment of the Circuit Court of the District of Columbia, for the County of Alexandria, in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum on the amount of the said judgment.

Philip R. Marshall & Christiana his wife

vs

It is therefore adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and that the said cause be remanded to the said Circuit Court for the trial of the plaintiffs action and further proceedings to be had therein.

It is ordered in this case, that the judgment be stricken out and that the cause be continued to next Term, which is done accordingly.

The United States
vs.
[illegible]

This cause came on to be heard on the Transcript of the [illegible] and was argued by counsel on consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Circuit Court be and the same is hereby affirmed.

March 3d

John Goss & Jacob Hiss
vs.
Nicholson [illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of [illegible] and was argued by counsel on consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and it is ordered that the rate of ten per centum per annum, including interest on the amount of the said judgment be.

March 3d

Henry [illegible]
vs.
Lodge

This cause came on to be heard on the Transcript of the Record of the Circuit Court of Maryland and on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

March 3d

George Slacum
vs.
[illegible]

This cause came on to be heard on the Transcript of the Record of the [illegible] and was argued by counsel on consideration whereof, It is the opinion of this Court that there is error in the declaration because it omits to allege within the protest of the bill of exchange [illegible] and that the judgment of the said Circuit Court be and the same is hereby reversed and annulled, and that the said cause be remanded to the said Circuit Court, with directions that the judgment in the said cause be arrested.

March 5th

[illegible]
vs.
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of [illegible] and was argued by counsel on consideration whereof, this Court is of opinion that the said Circuit Court erred in directing the Jury that upon the evidence given, the defendant was not liable on the [illegible] in the declaration mentioned, and that the said judgment of the said Circuit Court be and the same is hereby reversed and annulled and that the verdict be set aside, and that the cause be remanded to the said Circuit Court, for further proceedings to be had therein.

March 5th

George M'Knight
v.
James Finlay

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of [illegible] and was argued by Counsel on consideration whereof, it is the opinion of this Court that the said Circuit Court had no jurisdiction for quashing the inquisition found in this case, and for commanding the Clerk from recording it; It is therefore adjudged and ordered, that the said judgment and order of the said Circuit Court be and the same is hereby reversed and annulled, and this Court proceeding to render such judgment and order as the said Circuit Court should have rendered. It is further adjudged and ordered that the motion in this cause [illegible] the said Circuit Court in the [illegible]

John Rutherford Potter
v.
The Executors of Thomas [illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court of North Carolina and was argued by Counsel on consideration whereof, This Court is of opinion that the representatives of Jean Jones in the deed in the pleadings mentioned [illegible] in the said deed also mentioned, are entitled to the whole of the increase of the slaves in the said deed or settlement mentioned, which increase was produced between the execution and registry of the said deed and the death of the said Jean, all which is ordered to be certified to the said Circuit Court &c for the [illegible]

Jean M'Finlay
v.
[illegible]

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of [illegible] and was argued by Counsel on consideration whereof, This Court is of opinion that as the said deed from [illegible] pursuant to Samuel Wells &c was controlled by parol proof of the confidential use [illegible] the execution of the said deed, and the declarations of the said [illegible] at the time of the execution of the said deed, that the said [illegible] the said deed, was void as to the creditors of the said [illegible] and

the debt due to that colony provided the Cattle account be regulated by the Plaintiff and this Court doth further direct that the injunction to the judgment obtained by the Defendant at law be dissolved as to the residue of the money due thereon unless the same be immediately delivered by the plaintiff in Error.

March 8th

Edward Dorsett
vs
William Powell Esqr Sheriff of Prince George County

This cause came on to be heard on the transcript of the record of the Circuit Court of Monongalia and was argued by Counsel on consideration whereof it is ordered and decreed that the Plaintiff in Error do recover against the Defendant in Error the sum of twenty pounds with costs

March 8th

George Hubard and others
vs
Abram Maxwell

It appearing that the merits of this cause had been finally decided by the Court on the former hearing of the cause upon the execution of the Decree it is the opinion of this Court that the Circuit Court is bound to issue the writ of error upon the petition for jurisdiction of that Court be not alledged in the pleadings; which is ordered to be certified to the Circuit Court for the District of

March 8th

The Chesapeake Insurance Co.
vs
John Wallis Stark

This cause came on to be heard on the transcript of the record of the Circuit Court of Monongalia and was argued by Counsel on consideration whereof it appearing to this Court that the finding of the jury in the special verdict in this cause is repugnant to [illegible] and was made on the terms of arbitrament: It is therefore ordered and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled: and it is further ordered that the said cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

March 10th

The President Directors &c. of the Bank of Columbia
vs
Thomas Haywood Executor of Thomas Dickinson

On motion of Defendant by his Counsel and on filing a [illegible] of the record of a decree rendered by this Court on the [illegible] Plaintiff in this case be called and not appearing it is further ordered that the writ of error in this cause be dismissed with costs. March 10th

The Executors
vs
Philip Norborne Nicholas

This cause came on to be heard on the transcript of the record of the District Court of Orleans and was argued by Counsel on consideration whereof it is

The Steamer Pocahontas
vs
Wm. Pelan, Claimant
&
The United States

This cause came on to be heard on the Transcript of the Record of the District Court of Orleans, and was argued by Counsel on consideration whereof, it is now here ordered and adjudged by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

March 15th

Joseph Riddle
vs
United States & Libel against Four Kegs of Gunpowder in the Eastern District of Virginia

This cause came on to be heard on the Transcript of the Record of the District Court for the Eastern District of Virginia, and was argued by Counsel on consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this case be and the same is hereby affirmed with costs.

March 15th

Thos. Wiseman
vs
The Same.

The same order.

Charles Lee
vs
Francis D. Lee

This cause came on to be heard on the Transcript of the Record of the District Court of Alexandria, and was argued by Counsel on consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this case be and the same is hereby affirmed with costs.

March 15th

Thomas Gibson and Wm. Gibson
vs
Wm. Pelan
&
The United States

This cause came on to be heard on the Transcript of the Record of the District Court of Orleans, and was argued by Counsel on consideration whereof, it is now here ordered and adjudged by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

March 15th

February Term 1810

[illegible] This cause came on to be heard on the Transcript of the Record [illegible] and was argued by Counsel on consideration whereof it is adjudged & ordered that the judgment of the said District Court in this cause be reversed and that judgment be entered for the Defendants in the said District Court. March 15th

John Peter Vincent Bova &
Charles Tannacot
(The Schooner Mary Ann)
&
The United States.

Same entry

[illegible]

The United States.

Same entry

[illegible]

Same entry

[illegible]

The United States

Same entry

[illegible]

Same entry

[illegible]

Same entry

William Smith & John Weatherburn
&
The State of Maryland for the use &
&c.

This cause came on to be heard on the Transcript of the Record of the Court of Appeals of the State of Maryland [illegible] and was argued by Counsel. On consideration whereof, It is adjudged & ordered, that the judgment of the said Court of Appeals in this

The Schooner Juliana
&c. Claimants
&c. Appellants
v.
The United States

Same cause

Decreed that the Decree of the said Circuit Court in this case be and the same is hereby reversed and annulled; and this Court proceeding to render such decree as the said Circuit Court should have rendered; It is further ordered and decreed that the Decree of the District Court in this case, be reversed and the Sloop and Cargo mentioned in the proceedings mentioned be restored to the claimant

March 16th

The Sloop Alligator
&c. Gillon Claimant
v.
The United States

Same cause

Brockholst Livingston &
Robert Goldthwait
&c. Claimants
&c. Appellants
v.
The United States

This cause came on to be heard on the transcript of the Record of the Circuit Court for the District of Virginia and was argued by Counsel on consideration whereof it is the opinion of this Court that the said Circuit Court erred in dismissing the libel in the said cause for want of jurisdiction; It is therefore ordered that the said decree of the said Circuit Court be reversed and annulled and that the said Court do proceed to hear and determine the said cause according to law and justice and the principles of this decree and that the said cause be remanded to the said Circuit Court with directions to award a venire facias de novo

March 16th

Brockholst Livingston &
Robert Goldthwait
&c. Claimants
&c. Appellants
v.
The United States

Upon the question in this cause in the Circuit Court of the United States for the District of Virginia on which the Judges of the said Circuit Court were divided in opinion viz[illegible] given in evidence in this cause and mentioned in the proceedings and the further circumstance that the intention or expectation of having such persons on board was not communicated to the Captain of the Sloop at the time of publishing the Ordinance in this case and of entering the Sloop on which they embarked as on the voluntary [illegible] of the said Sloop It is the opinion of this Court that if the aforesaid persons mentioned in this case were not [illegible] and were not [illegible] of the Sloop's company to the said persons having the condemnation of the said Sloop and Cargo on board would vitiate the forfeiture: But if the Jury should be of opinion that the same were mentioned to the said Captain at the time of the [illegible] of the Sloop, to take such persons on board that this would not vitiate

The United States

record of the District Court of Maine and was argued by counsel on consideration whereof, It is ordered and Decreed that the Decree of the said District Court in this case be and the same is hereby reversed and annulled; and this Court proceeding to render such Decree as the said District Court should have rendered; It is further ordered and Decreed that the libel in this cause be dismissed, and that the property be restored to the claimants.

March 15th

The United States

This cause came on to be heard on the transcript of the record of the Circuit Court of Massachusetts and was argued by counsel on consideration whereof, It is ordered and adjudged that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

This cause came on to be heard on the transcript of the record of the Circuit Court of Rhode Island, and was argued by counsel on consideration whereof, It is the opinion of this Court that there is error in the judgment of the said Circuit Court, in overruling the demurrer to the first plea, so far as the same is pleaded in bar of the first count in the declaration, and that there is error in overruling the demurrer to the second plea. Whereupon it is ordered by this Court that the judgment of the said Circuit Court be reversed and annulled, and that the cause be remanded to the Circuit Court with instructions to sustain the demurrer to the first plea, so far as the same is pleaded in bar of the first count in the declaration, and also to sustain the demurrer to the second plea, and to render judgment in favor of the Plaintiffs on the said first count, and to award a writ of inquiry of damages.

March 16th

Demurrer and Rejoinder

This cause came on to be heard on the transcript of the record of the Circuit Court of Rhode Island and was argued by counsel on consideration whereof, It is ordered and adjudged that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

This cause came on to be heard on the [illegible] Record of the District Court of Orleans and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said District Court in this case, be, and the same is hereby affirmed with costs.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of [illegible] and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of [illegible] and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this case be and the same is hereby affirmed, with costs.

March 9th

This cause came on to be heard on the Transcript of the Record of the Circuit Court [illegible] and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

March 9th

The Mutual Assurance Society
vs
Joseph Riddle

By consent of parties by their Counsel, ordered that the writ of error in this case be dismissed.

Humphreys & Pierce
vs
[illegible]

On motion of [illegible] Counsel for the Plaintiff in this cause it is ordered that the suit be dismissed at the plaintiffs costs and it is ordered that the suit be & the same is dismissed accordingly.

[illegible]
vs
[illegible]

This cause came on to be heard on the Transcript of the Record of the [illegible] and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this case be, & the same is hereby reversed.

At a Supreme Court of the United States begun and
held at the Capitol in the City of Washington on
the first Monday [illegible] in the
the year of our Lord one thousand eight hundred
and eleven.

Present

The Honble John Marshall Chief Justice
[illegible] Associate
Bushrod Washington Justices

There not being a sufficient number of Justices to form
a quorum the Court is adjourned till tomorrow
morning 11 O'Clock. And there not appearing a sufficient
number of Justices to form a quorum for ten
days, the Court was adjourned by the above named
Justices de die in diem for ten days within the Court
was adjourned to the next in course agreeable
to the act of Congress in such case made and
provided.

— In Supreme Court of the United States begun and holden at the Capitol in the City of Washington on the first Monday being the third day of February in the year of our Lord one thousand eight hundred and twelve

Present

The Honorable Bushrod Washington
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

Letters patent from the President of the United States to the [illegible] Joseph Story and the respective justices of the [illegible] and the Hall between [illegible]

Hezekiah Hendson Joseph
Thomas Tobin Smith
Peter A. Quesline

On motion of Mr. Harper counsel for the plaintiffs a rule is granted to show cause why the writ should not be [illegible] in this cause.

[illegible]
Lin L. Elmer
Peter [illegible]

[illegible]

Monday February 17th 1812.

The Court met according to adjournment

Present

The Honorable Bushrod Washington
Brockholst Livingston
[illegible]
Joseph Story

a Quorum present.

[illegible] Motion in opinion this cause.

The Court met according to adjournment

Present

The Honorable Bushrod Washington

Gabriel Duvall

Joseph Story

Ordered that the Plaintiff's Counsel have leave to file the bill of exceptions in this case, and that the same be sealed and made a part of the record.

Ordered that the Mandate in this case be sent down to the District Court of Orleans.

On motion of Mr. Key ordered that the Plaintiffs in error in this case have leave to withdraw their writ of error.

The cause was further argued by

The Court adjourned till tomorrow morning 11 o'clock.

Tuesday February 6th 1816

The Court met according to adjournment

Present

The Honorable Bushrod Washington

Joseph Story

Thomas Tilghman Esqr

Thomas Law Esqr

The Court adjourned till

Saturday February 8th 1812

The Court met according to adjournment

Present

The Honorable Bushrod Washington
William Johnson
[illegible]
Thomas Todd
Gabriel Duvall
Joseph Story

Associate Justices

Thomas Pinckney Norton
Thomas Lyndon Norton

Counsel in this cause were further heard on the Motion for the Injunction in the Supreme Court of the State of Rhode Island

The Court adjourned till tomorrow morning 11 O'Clock.

Saturday February 8th 1812

The Court met according to adjournment.

Present

The Honorable Bushrod Washington
William Johnson
[illegible]
Thomas Todd
Gabriel Duvall
Joseph Story

Associate Justices

Thomas Pinckney Norton
Thomas Lyndon Norton

Mr Lewis for the Defendant concluded the argument in this cause.

The Revd James Wells
The United States

This cause was opened by Mr Pitkin.

The Court adjourned till Monday morning

Monday February 10th 1812.

The Court met according to adjournment

Present

The Honorable [illegible]

William Johnson } Associate
[illegible] } Justices
Thomas Todd }
Gabriel Duvall }
Joseph Story }

The United States } This cause was further argued by Mr. Dallas for Defts. & by Mr. [illegible] for Pltfs.

The Court granted the [illegible]

Tuesday February 11th 1812.

The Court met according to adjournment

Present

The Honorable [illegible]
[illegible]
Thomas Todd } Associate
Gabriel Duvall } Justices
Joseph Story }

William Williams & others
vs
George Armroyd & Co. } On motion of Mr. Ware a mandate for a commission to take depositions for the Plaintiffs is granted to Baltimore, New London & Providence on ten days notice to the opposite party or their Counsel.

The Maryland Insurance Co. } This cause was opened by
vs
Hiernaux & Roy & others } Mr. Martin.

The Court [illegible]

Wednesday February 12th 1812.

The Court met according to adjournment

Present

Gabriel Duvall &
Joseph Story

The Maryland Insurance Co
vs
Thomas, Ed. Ryan & others

This cause was further argued by Mr Martin for the Plaintiffs & Mr Winder & Mr Harper for the Defendants

The Court adjourned till to morrow morning 11 o'Clock.

Thursday February 13th 1812.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Johnson
Bushrod Washington
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

The Maryland Insurance Co
vs
Herman Le Roy & others

This cause was further argued by Mr Harper for the Defendants.

The Schooner Good Catharine
vs
Bayard & Others

By order of the Court this cause is dismissed and afterwards reinstated & continued.

Davis & Mitchel
vs
Bank of Columbia

This cause was opened by Mr R. Lee.

[illegible]

[illegible]

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Johnson
[illegible]
Thomas Todd
[illegible]
Joseph Story
} Associate Justices

[illegible] } Suggestion & Amendment by Defendants Counsel and a certificate granted.

The Maryland Insurance Co. } This cause was further argued by
Harmon [illegible] Arthur } Mr Dickens for the Plaintiffs
[illegible] } This cause was further argued by
Gaylord & Mitchel } Mr Harper for the Defendants.

The Court adjourned till tomorrow morning 11 Oclock.

Saturday February 15th 1812.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
[illegible]
[illegible]
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

[illegible]
Gaylord & Mitchel —

The Schooner Paulina
&
The United States

[illegible] 1812.

The Court met according to adjournment.

Present

The Honorable John Marshall Chief Justice
[illegible]
Bushrod Washington
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

[illegible]
v.
Emanuel Hart
} This cause was argued by Mr Pinkney for the Plaintiff

[illegible]
John Jones Clarke
} This cause was argued by Mr Key for the Plaintiff.

The Court adjourned till tomorrow morning 11 O'Clock.

Thursday February 20th 1812.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
William Johnson
Bushrod Washington
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Nathaniel Russell
v.
[illegible]
} This cause was further argued by Mr Key for the Plaintiff.

The Court adjourned till tomorrow morning
11 O'Clock.

The Court met according to adjournment

Present

The Honorable Chief Justice Marshall
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

Nathaniel Russell } This cause was further argued by Mr. King
& by Mr. Hopkinson for the Plaintiffs

The Bank Carolina }
vs } This cause was submitted by Mr. Pitkin
The United States }

The Court adjourned till tomorrow morning 11. O'Clock

Thursday February 20th 1812.

The Court met according to adjournment

Present

The Honorable Chief Justice Marshall
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

The Bank of Columbia } This cause was further argued by Mr. Pitkin & Mr.
vs } Dana for the Plaintiffs and by Mr. Dallas for
The United States } the Defendants

The Maryland Insurance Co } on motion of Mr. Key it is ordered that a
vs } Mandate on the mit on the policy on
William Woods } the goods & merchandize in the Schooner William & Mary
decided in this Term 1812, issue in this case.

The United States }
vs } Mr. Hopkinson for the Appellant submits
Aquila Giles & Others } the argument in this cause

The Court adjourned till tomorrow morning
11. O'Clock

Friday February 21st 1812

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
[illegible]
William Johnson
[illegible]
[illegible]
Gabriel Duvall
Joseph Story

[illegible]
v.
Aquila Giles Esqr

This cause was further argued by Mr Wirt for the Defendants and by Mr Dallas for the Plaintiffs.

The Court adjourned till tomorrow morning 11 oClock

Saturday February 22d 1812.

[illegible]

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
[illegible]
[illegible]
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

[illegible]

The United States
v.
Aquila Giles Esqr

This cause was further argued by the Attorney General for the Plaintiffs

The United States
v.
The Brig Eliza

This cause was further argued by Mr Dallas for the Plaintiffs & Mr Ingersoll for the Defendants

[illegible]

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

James Winchester } This day Marshall the Clerk of this Court having produced
and Ephraim Kibby } a writ of execution issued on the 22d day of January
vs. Peter Arnold } last against the Defendants in this cause, returnable to the
present Term, and it appearing that a copy thereof
had been served on the said Defendants, that demand of payment
was made and said writ returned by the Marshall on the 24th day of March
last, and that no appearance had been entered by the said Defendants, on motion
of Mr Key of Counsel for the Plaintiffs, it is ordered that an attachment issue against the said Defendants unless cause be
shown to the contrary on or before the 1st day of March
next, and that the attachment so issued be argued.

The Bank of the United States } Motion for a certiorari in this case withdrawn
vs. } and an order made for the Marshall to make
Peter Arnold } a return of the proceedings in the above
cause to the Circuit Court for the District of
Pennsylvania, the amount of the debt in the same as ordered.

The Schooner Exchange } This cause was argued by Mr Ballard for the
vs. } Claimants & by the Mr Key for the Libellants.
Mr Judah & Jones Thurston }

Tuesday February 25th 1812

The Court met according to adjournment.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

The Schooner Exchange } This cause was further argued by
vs. } Mr Winder for the Libellants.
Jones Thurston & Judah }

Mr Key for the Claimants.

Present:

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
Justices

This cause was further argued by the Attorney General for the Plaintiff.

This cause was further argued by Mr Winder for the Plaintiff & by Mr Key for the Defendants.

The Court adjourned till Tomorrow morning 11 o'Clock.

Wednesday February 4th 1818

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
Justices

This cause was further argued by Mr Winder for the Plaintiff.

This cause was further argued by Mr R. Lee for the Plaintiff & by Mr Key for the Defendants

The Court adjourned till Tomorrow morning 11 o'Clock

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Chesapeake Insurance Co.
vs.
Joseph Maryadieu
} This cause was argued further by Mr. Pinkney for the Plaintiffs

The Chesapeake Insurance Co.
vs.
Joseph Maryadieu
} This cause was opened by Mr. Pinkney

The Court adjourned till tomorrow morning 11 O'Clock

City of Washington February 20th 1812

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Chesapeake Insurance Co.
vs.
Joseph Maryadieu
} This cause was further argued by Mr. Pinkney & Mr. Pinkney for the Plaintiffs & by Mr. Key for the Defendant

Edward Tyndall
vs.
The U. States
} This cause was further argued by Mr. Pinkney for the Plaintiffs

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday March 3d 1812.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story } Justices

James Moloch
Alexander Scougall } This cause was argued by Mr Dallas for the Plaintiff & by Mr Swann for the Defendant.

Archibald McClean } This cause was argued by Mr Dallas for the Plaintiffs & Mr Taylor for the Defendant.

James Moloch
Abraham Lindo } This cause was argued by Mr Dallas for the Plaintiff & by Mr Swann for the Defendt.

John McIver
Isaac Hollingsworth & al } This cause was argued by Messrs Dallas & Hare for the Plaintiff & by Mr Swann for the Defendants.

The Court adjourned till tomorrow morning 11 O'Clock.

Wednesday March 4th 1812.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story } Justices

[illegible] } [illegible]

James Barger Exr
Abraham Barr } [illegible]

Present

The Honorable [illegible]
[illegible]
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
[illegible]

} Associate Justices

James Hughes
vs
Elcan Moore

} This cause was argued by Mr Swann & Mr Jones for the Plaintiff & by Mr Key for the Defendant, & [illegible]

James Hughes
vs
Elcan Moore

} This cause was argued by Mr Swann & Mr Jones for the Plaintiff & by Mr Key for the Defendant.

The Court adjourned till tomorrow morning 10 o'clock.

Thursday March 5th 1812.

Present

The Honorable [illegible]
[illegible]
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
[illegible]

} Associate Justices.

James Hughes
vs
Elcan Moore

} This cause was further argued by Mr Key for the Defendant & by Mr Swann for the Plaintiff.

[illegible]
[illegible]

} This cause was argued by [illegible] for the Plaintiff & by [illegible] for the Defendant.

The Court adjourned till tomorrow morning 10 o'clock.

Friday [illegible] 1812

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

William Baker
John Marsh
} This cause was argued by Mr Baker for the Plaintiff
& Mr Key for the Defendant

Joseph Lewis
Robert Hyde
} This cause was argued by Mr Hyde for the Plaintiff
& Mr Key for the Defendant

Thomas Swann
Daniel Murdock
} This cause was argued by Mr Swann for the Plaintiff
& Mr Wilkins for the Defendant

Richard Cummings
Carr
Martin Hoffman
} This cause was opened by Mr Carr

The Court adjourned till tomorrow morning 11 O'Clock

Saturday March 7th 1812

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

Richard Cummings
Carr
Martin Hoffman
} This cause was further argued by Mr Carr for the Plaintiff & by Mr Swann for the Defendant

The Court adjourned till Monday morning 11 O'Clock

The court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

James & John Dunlap
vs
Thomas Munroe
} This cause was argued by Hyde & Key for the Plaintiff & by M. Morrell for the Defendant.

Ezekiel Wood
vs
John Summers
} This cause was argued by Mr. Key for the Pltf. & by Mr. [illegible] for the Deft.

The court adjourned till tomorrow morning 10 o'clock.

Tuesday March 10th 1812.

The court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

Daniel Barnitz & others
vs
John Sage
} This cause was argued by Mr. [illegible] for the Plaintiffs & Mr. Martin for the Defendant

The court adjourned till tomorrow morning 10 o'clock

Wednesday March 11th 1812.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story

Samuel Hamilton
vs
Eliza Dorsey

This cause was further argued by Mr Pinkney for the Plaintiffs in Error and by Mr Taylor for the Plaintiffs

Richard Conway's Exrs
vs
Walter Alexander

This cause was further argued by Mr Jones for the Plaintiffs.

The Court adjourned till tomorrow morning 11. O'Clock.

Thursday March 12th 1812.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story

Associate Justices

James Wilkinson
vs
United States

This cause was further argued by Mr Jones for the Plaintiff in Error and by Mr Key for the United States

The Court ajourned till tomorrow morning 11 Oclock

Friday March 13th 1812.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

} Associate Justices

John McVickar Esqr. } The Court hears Counsel on the Motion
Peter G. Coorhees Esqr. } of the Plaintiff

The Board of Aldermen of the City of New York by their Counsel
Thomas Addis Emmet
Henry Anthon

} Counsel for the Defendant in Error

The Court adjourns till tomorrow morning 10 o'Clock

Saturday March 14th 1812.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

} Associate Justices

John Blackwell } Motion for quashing the writ of Error
Esqr. } in this cause granted

The Court is engaged in hearing the Argument of Counsel in the case of

Ogden
vs
Saunders

It is ordered that the Clerk of this Court do issue a Mandate to the Supreme Court of the State of New York

Supreme Court of the United States

February Term 1812.

There having been two associate Justices of the Court appointed since the last session, it is ordered that the following allotment be made of the Chief Justice and the associate Justices of the said Supreme Court, among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered on Record, viz:

For the first Circuit - The Honorable Joseph Story

For the second Circuit - The Honorable Bushrod Washington

For the third Circuit - The Honorable Brockholst Livingston

For the fourth Circuit - The Honorable Gabriel Duvall

For the fifth Circuit - The Honorable John Marshall C.J.

For the sixth Circuit - The Honorable William Johnson

For the seventh Circuit - The Honorable Thomas Todd -

By Curiam

[illegible]

Executed for the Defendant upon the
Michael Hillegas admin[istrator] } General [illegible] Feb: 13th

Alexander Skirving, John Black
William Gibbon, William Black
Executors and Surviving Partners
Robert Gray & Robert Mitchel } This cause came on to be heard on
the Bill, Answer & Exhibits and was
argued by Counsel on consideration
whereof it is the opinion of this Court
that the deed of Mortgage in the proceedings mentioned
dated on the first of December one thousand
seven hundred and one is a valid conveyance of one moiety of that
lot of land known and known on the side of Savannah which
was generally known by the name of Goodwin's Wharf being
the forked piece of ground lying between the river and the Street
and that the Mortgagees in the said deed mentioned are entitled
to foreclose the equity of redemption in the said mortgaged
premises and to obtain a sale thereof and to dispose of the proceeds
of the said sale to the payment of what remains unsatisfied
of their respective debts which were owing at the date of the
Mortgage or have been since contracted either on account of money
advanced or liabilities incurred prior to their receiving notice of
the title of the Complainants Robert Gray & Robert Mitchel. And the
Decree of the Circuit Court in the District of Georgia so far as
it is inconsistent with this opinion is reversed & annulled &
in all other things affirmed; and the cause is remanded to
the said Circuit Court for the District of Georgia that further
proceedings may be had therein according to Law. Feb: 15th

Thomas Fitzsimons Esqr
Thomas M Kean Esqr } This cause came on to be heard on the Transcript
of the Record and was argued by Counsel on
consideration whereof it is ordered and Decreed that the
Decree of the Circuit Court for the District of Pennsylvania in
this cause be and the same is hereby affirmed with costs

The Ann Maria Bella & Cargo
vs
The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Louisiana and deposition taken in the cause, and was argued by Counsel, on consideration whereof, It is ordered & decreed, that the Decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Feb: 21st

The Cargo of the Schooner Paulina
vs
The United States

This cause came to be heard on the Transcript of the Record and the arguments of the Counsel in the cause and was argued by Counsel on consideration whereof, It is decreed & ordered that the Decree of the Circuit Court for the District of Rhode Island in this cause, reversing the decree of the District Court of said District, be and the same is hereby reversed and annulled, and that the decree of the said District Court, restoring the cargo of the said Schooner Paulina to the Claimant be and the same is hereby affirmed. It is further ordered to be certified that in the opinion of this Court, there was probable cause of seizure.

Feb: 21st.

The Maryland Insurance Co.
vs
Norman & Le Roy, William Bayard & James McEvers

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Maryland and was argued by Counsel on consideration whereof, It is the opinion of this Court that there is Error in the said Record in this, that the said Circuit Court erred in refusing to give the opinion prayed for by the Counsel of the Defendants in said Circuit Court in the seventh exception. It is therefore adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein.

Feb: 22d

The United States
v.
Jacob Snyder

This cause came on to be heard on the Transcript of the Record and was argued by counsel, on consideration whereof, It is ordered and decreed that the judgment of the circuit court for the District of Vermont in this case be and the same is hereby affirmed. feb: 24

The United States
v.
Solon Sybe

upon the motion of the attorney of the United States in this case to the circuit court of the United States for the District of Vermont "to render judgment on the verdict rendered in the said cause" upon which the said judges [illegible] and divided in opinion. It is ordered to be certified to the said circuit court that it proceed to render judgment for the United States on the said verdict. feb: 25.th

The Hope & Cline & Cargo
Collins Morgan Master &c
v.
The United States

This cause came on to be heard on the transcript of the record and was argued by counsel, on consideration whereof, It is ordered and decreed that the sentence of the circuit court of the District of Louisiana in the same cause be and the same is hereby reversed and annulled, so far as the same affects the said ship Hope & Cline, or relates to the forfeiture of the same, and that it be affirmed as to the vessel, and the residue of the cargo: and it is directed to be certified that there was probable cause of seizure. feb: 26.th

The United States
v.
The Hope Marine
Jos Ferguson Claimt

Q.a
On motion it is ordered that the appeal in this case be and the same is hereby dismissed with costs, it appearing that the Supreme Court has not jurisdiction in this case.
feb: 21

The Veteran Exchange
v.
Wm. M. Paton & Wilding
Gratham.

This cause came on to be heard on the transcript of the Record and was argued by counsel, on consideration whereof, It is ordered and decreed that the sentence of the Circuit Court of the United States for the District of Pennsylvania reversing the sentence of the District Court be and the same is hereby annulled and annulled, that the sentence of the said District

The State of New Jersey on the prosecution of George Pendleton

vs

Levi Nelson sheriff of Essex &c

This cause came on to be heard on the Transcript of the Record of the Court of Errors of the State of New Jersey and was argued by Counsel on the part of the Plaintiff in error on consideration whereof it is the opinion of this Court that there is error in the judgment of the said Court of errors in this that the judgment of the said Court is founded on an act passed by the Legislature of the State of New Jersey in December 1804 entitled "An act to repeal part of an act for the better support of the Judiciary" which Act in the opinion of this Court is repugnant to the Constitution of the United States inasmuch as it impairs the obligation of a contract and in this account erred. It is therefore considered by this Court that the said judgment be reversed and annulled, and that this cause be remanded to the said Court of errors, that judgment may be rendered therein annulling the judgment in the proceedings mentioned so far as the same may affect the Court in the said proceedings also mentioned. March 3d

John McIver assignee of Andrew & William Bishop

vs

Executors of William Hart dec'd & William Wilson

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the Circuit Court for the District of Columbia in the County of Alexandria in the said Andrew & Bishop mentioned be affirmed with costs.

March 3d

William King

vs

Joshua Riddle

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged and ordered that the judgment of the Circuit Court for the District of Columbia in the County of Alexandria in this cause be and the same is hereby affirmed with costs.

March 3d

James Welch

vs

Joseph McDaniel & Robert M. Langston formerly McDaniel & Langston

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the Circuit Court for the District of Columbia in the County of Alexan-

February Term 1812.

The United States
Aquila Giles, Nicholas
Fitzhugh Carlton

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof it is the opinion of this Court that the Judgment on the said cause in which the opinions of the Judges of the Circuit Court of the District of Newyork were opposed, are too imperfectly stated in the said Record to enable this Court to form an opinion thereon. It is therefore ordered that the said cause with a copy of the Record be transmitted to the said Circuit Court for further proceedings to be had thereon.

The Mutual Assurance Co.
vs.
Joseph Maxwell

This cause came on to be heard on the Transcript of the Record, and was argued by Counsel, and by consent of parties by their Counsel it is adjudged ordered and decreed that the judgment of the Circuit Court for the District of Columbia be and the same is hereby reversed and annulled, and it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to law. March 5th.

James Hughes
vs.
[illegible]

This cause came on to be heard on the Transcript of the Record from the Circuit Court for the District of Columbia for the County of Alexandria and was argued by Counsel on consideration whereof it is the opinion of this Court that the Circuit Court erred in this that the said Court gave judgment for the Defendant in error thereby sustaining the demurrer to the second plea filed to the second count of the Declaration whereas the judgment of the Court on the demurrer ought to have been to overrule the said demurrer and to award [illegible] to the said plea. It is therefore considered by the Court that the said judgment of the said Circuit Court be reversed and annulled and that the cause be remanded to the said Circuit Court that the judgment may be rendered therein for the Plaintiff in error. March 7th.

Elizabeth Dorsey Petitioner &c
vs
Thomas Clagett

This cause came on to be heard on the transcript of the record and was argued by counsel on consideration whereof it is ordered and decreed that the decree of the circuit court for the District of Columbia in the County of Alexandria in this case be and the same is hereby affirmed and annulled. And it is further ordered that the said cause be remanded to the said circuit court with directions that the complainants bill be dismissed.

March 9.

James Wilkes
vs
Abraham Faw

This cause came on to be argued on the transcript of the record and was argued by counsel on consideration whereof it is ordered and decreed that the decree of the circuit court for the District of Columbia for the County of Alexandria in this case be and the same is hereby affirmed with costs.

March 9th

The President Directors &c of the Potomac Bridge Company
vs
The Columbian Turnpike Road

On motion of the defendants counsel and it appearing to the court that the appeal in this case is not prosecuted, but has been abandoned by the appellants, it is ordered that the appeal in this case be and the same is hereby dismissed with costs.

March 9th 1812

Nathaniel Hooe & Samuel Love
vs
John Fenwick

This cause came on to be heard on the transcript of the record and was argued by counsel on consideration whereof it is the opinion of this court and it is therefore ordered and decreed that the decree of the circuit court with respect to the second exception be reversed and that the cause be remanded to the circuit court for the District of Virginia in order that an account may be taken pursuant to the written agreement of the parties agreeably to the customs & manner of taking accounts in Maryland.

March 10th

William Nelson
vs
Isaac Parrish

This cause came on to be heard on the Transcript of the record and was argued by counsel on consideration whereof it is ordered and decreed that the decree of the circuit court for the District of Columbia in the County of Alexandria in this case be and the same is hereby affirmed with costs.

March 10th

Cowell & Smith
vs

This cause came on to be heard on the Transcript of the record and was argued by counsel on consideration whereof it is ordered and decreed that the judgment of the circuit court for the District of Columbia in the County of Alexandria in

Governor of Virginia
vs. Loudon County
Francis Lewis's Heirs

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, and considered how is whereof it is adjudged and ordered that the judgment of the Circuit Court for the District of Columbia in the County of Alexandria in this cause be and the same is hereby severally reversed and annulled. March 10th

Hezekiah Pride
vs.
Moses Rawlings

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is ordered that the said Circuit Court be and it is hereby reversed for the errors. It is therefore adjudged ordered & decreed that the judgment of the Circuit Court for the District of Columbia in the County of Washington be and the same is hereby severally and annulled and the said cause is remanded to the said Circuit Court for further proceedings to be had therein according to law. March 10th

The United States
for the Use of Goddard
vs.

On motion of the Appellant by Counsel it is ordered that the writ of error in this cause be and the same is hereby dismissed. March 10th

Nathaniel Rapley
(Citizen of Penn. &c.)
vs.
Peter Hare Clerk of
the Dist. Court &c.

This cause came on to be heard on the Transcript of the Record of the District Court for the District of Columbia and was argued by Counsel on consideration whereof the Court are of opinion that there is error in rejecting the plea of the Plaintiff. But inasmuch as the Record furnishes reason to suppose that the Plaintiff may have just claim to equity on the part of the Trustees and was prevented by them as Counsel & Willingshot in the proceedings mentioned and which afterwards came to the knowledge of the Plaintiff upon which claim no decision can regularly be made on the present Petition Therefore this Court is of opinion that the decree of the Circuit Court of the District of Columbia for the County of Washington be reversed and annulled for the reasons above stated and that the cause be remanded to the said Circuit Court with directions that the Plaintiff be at liberty to amend his Bill as he may be advised as to the claim of equity set up in the plea of the Trustees and that the said Trustees be compelled to answer the same and that in all things else the said decree be affirmed and it is further ordered that the Plaintiff pay to the Defendants the

February Term 1812.

[illegible]

[illegible] New York in this case, be the same is hereby affirmed.

March 9th

Philip G. Marstellar
vs
Archibald McLean

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is adjudged ordered & decreed that the decree of the Circuit Court for the District of Columbia in the County of Alexandria in this case, be & the same is hereby affirmed with costs.

March 10.

William Morgan
vs
[illegible]

This cause came on to be heard on the Transcript of the Record & was argued by Counsel on consideration whereof it is adjudged ordered & decreed that the judgment of the Circuit Court for the District of Columbia in the County of Washington in this cause be & the same is hereby affirmed with costs at the rate of six per centum per annum, exclusive interest on the amount of said judgment.

March 13

The Cargo of the Schooner Mary
Charles Quanterelle Claimt
vs
The United States

This cause came on to be heard on the Transcript of the Record & was argued by Counsel, on consideration whereof it is adjudged ordered & decreed that the decree of the Circuit Court for the District of Delaware in this case be & the same is hereby affirmed with costs.

March 13th

[illegible]
[illegible]
[illegible]
[illegible]

It is ordered in this case that the mandate be stayed [illegible] with costs.

March 13th

[illegible]

Thomas Bealle Junr
vs
[illegible]

This cause came on to be heard on the Transcript of the Record & was argued by Counsel on consideration whereof it is adjudged ordered & decreed that the judgment of the Circuit Court for the District of Columbia in the County of Washington in this cause be & the same is hereby affirmed with costs.

March 13th

[illegible]
[illegible]

This cause came on to be heard on the Transcript of the Record & was argued by Counsel on consideration whereof it is adjudged ordered & decreed that the judgment of the Circuit

At a Supreme Court of the United States begun & holden at the City of Washington on the first Monday in August in the year of our Lord one thousand eight hundred and twelve, agreeably to the Statute in such case made and provided - Gabriel Duvall one of the Justices of the said Supreme Court and sole Judge of the District of Maryland was present and the said Judge by virtue of the power & authority to him vested by the said Statute did command the Marshal to attend on the said Judge at the Court House in Annapolis on the [illegible] day of the Term to be continued.

At a Supreme Court of the United States begun and holden at the [illegible] on the first Monday being the [illegible] day of February in the year of our Lord one thousand [illegible]

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall } Associate Justices

There not being a sufficient number of Justices to form a quorum the Court was adjourned till tomorrow morning 11 O'Clock

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March Tuesday 3rd

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall } Associate Justices

There not being a sufficient number of Justices to form a quorum the Court is adjourned till tomorrow morning 11 O'Clock.

Wednesday 4th

The Court met

Present

The Honorable John Marshall Chief Justice
[illegible]
Brockholst Livingston
Gabriel Duvall } Associate Justices
[illegible]

The Court adjourned till tomorrow morning 12 O'Clock.

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall
Joseph Story
} Associate Justices

John Barlow
Abel Bayard
} This cause was argued by Mr Key for the Plaintiff Plff
Mr Dickins & Mr Bigelow for the Defendant.

Thomas Tee
William Thornton
Thomas Munroe
} This cause was argued by Mr Swann for the Plaintiff
the Mr Jones for the Defendant.

The Court adjourned till tomorrow morning 11 o'clock.

Tuesday February 1st 1803

The Court met according to adjournment

Present The Honorables

John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall
Joseph Story
} Associate Justices

Owen Owens
Thomas Owens
} Mr Harper moved for the Plaintiff
for a mandamus to the Marshall
to [illegible] return

Friday February 6th 1863

The Reg. Charged vs Chisholm } This cause was argued by
" } Counsel for the Crown for the
The Queen vs Hall } Defendant

The Corporation of the } This cause was argued by
County of Simcoe } Mr Dumble for the Plaintiff
" } the Defendant not being
Township of Innisfil } present

A Rule of the County Court in Chisholm vs Ingram is
admitted as Counsel for Attorney of this Court & Clerk the
Rule accordingly

Queen vs Chisholm This cause was argued by Mr
Chisholm } Dumble for the Plaintiff.
Hall } The Defendant not being present

Court adjourned until Friday at 11 o'clock

Friday 13th February A.D. 1863

Court met according to adjournment

Present

The Honorable John Macaulay Chief Justice
Burnham
Brock
Hagarty
Gwynne
Connor
Justices.

Chisholm vs Hall } This cause was argued by Mr
" } for the Plaintiff & Mr Hall for
Queen vs Hall } the Defendant

Court adjourned until 11 o'clock Saturday

Thursday February 8. 1813

The Court met according to adjournment

Present

The Honourable
John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Edward Carrington } The cause was further argued by the Attorney General for the Defendant and Dexter for the Plaintiff

The Court adjourned till tomorrow morning 11 o'clock

Tuesday February 9th 1813

Present

The Honourable John Marshall Chief Justice

Bushrod Washington
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Edward Carrington } The cause was further argued by Dexter for the Plaintiff

Livingston & Hitchcock } The cause was argued by Mr Hopkinson for the Defendant

Story

Depositions taken from the Record & the argument of the cause

The Court adjourned till tomorrow morning 11 o'clock

Wednesday February 10th 1803

The Court met according to adjournment

Present the same Judges

The Attorney General

Richard Cushing }
William Gilliam } Jurors
Jonathan Hastings } sworn
Isaac Parker }
Edward Ray }

The Indictment } In Motion of the Defendant's Counsel
against } that the writ of
Wilson Jones } Error in this case and the same
& the Defendant } may be quashed, the Defendant not
being charged with a crime

Lieutenant Hulbert } This cause was further argued
& Knights Insurance } by Mr Parker for the Plaintiff
Company }
The Court adjourned to nine o'clock

Thursday February 11th 1803

The Court met according to adjournment

Present the same Judges

The Attorney General

Richard Cushing }
William Gilliam } Jurors
Jonathan Hastings } sworn
Isaac Parker }
Edward Ray }

Lieutenant Hulbert } This cause was further argued by Mr Parker
& Knights Insurance } for the Defendants
Company }

The Court adjourned to nine o'clock

Present The Honorable
&c the Justices of the Circuit Court
Bernard Lambert for
William Gibbons and
Brock Watt Assignees
Gabriel Duvall
Chief Justice &c
&c

The Bank Maryland
vs
Thomas Thomas and others

} This cause came on to be heard on the transcript of the record from the District Court of Maryland and was argued by counsel on consideration whereof it is ordered and decreed that the decree of the said District Court in this cause be and the same is hereby affirmed with costs &c

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Thomas Lawson Plaintiff
vs
Wm Hughes

} This cause came on to be heard on the transcript of the record of the Circuit Court for the District of Maryland, on the Eastern Shore and was argued by counsel on consideration whereof it is ordered and decreed that the judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs &c

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Augustus Pickett
vs
Maryland Insurance
Company

} This cause came on for hearing on the Petition for the dismissal and on the argument of Counsel

The Court pronounced their opinion Thomas Swann & Reverdy Johnson

Saturday February 21st 1835

Record
to the
Clerk of the Circuit Court
for the District of Columbia
for the County of Washington
Sitting at Washington

Nathan Sheffey
vs
Benjamin Berry

This cause came on to be heard on the transcript of the Record and was argued by Counsel on consideration whereof it is adjudged and ordered that the judgment of the Circuit Court for the District of Columbia in the County of Washington in this cause be and the same is hereby affirmed with costs, and damages at the rate of five per centum per annum including interest on the amount of the judgment of the said Circuit Court

Peter Force Esq. late one of the
Justices of the Circuit Court
for the District of Columbia
for the County of Washington
Sitting at Washington

vs

Edward Barrington

This cause came on to be heard on the transcript of the record and was argued by Counsel on consideration whereof it is adjudged, ordered and decreed, that the judgment of the said Circuit Court for the District of Columbia in this cause be and the same is hereby affirmed with costs, and damages at the rate of five per centum per annum including interest on the amount of the judgment of the said Circuit Court

Livingston Lee Clerk
of the Circuit Court
for the District of Columbia
for the County of
Washington Sitting at
Washington

This cause may for the present be passed by the Court

Robert Dickey
William Hodgson
} The cause was argued by
Mr Hughes for the Plaintiff
& by Mr Riddle for the Defendants

The Court adjourned to Monday Morning 9 o'clock

Monday February 15th 1813

The Court met according to adjournment

Present

The Justices

John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

William Hubert Fowler & P. R. Fendall
Richard Ware Wilkes
} The cause was argued by Mr Fowler for the Plaintiffs & by Mr [illegible] for the Defendants

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Maria Thomas &c
v
Alexander
&
William Hodgson
} The cause was argued by Mr S. Leigh for the Plaintiffs & by Mr Swann for the Defendants

The Court adjourned till tomorrow Morning
9 o'clock

Circuit Court

The cause came on to be heard on the Bill of Complaint of the Baltimore Steam Packet Company and was argued by Counsel on consideration whereof it is the opinion of this Court that the Circuit Court for the District of Maryland erred in not granting the injunction prayed for by the Complainants in their Bill of Complaint and therefore adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be remanded to the said Circuit Court with instructions to grant the injunction prayed for in the Bill of Complaint and to take such further proceedings therein as may be in accordance with this opinion.

Thomas H. Hall & Co. vs. The United States

This cause was argued by the Attorney General for the plaintiffs in error and by Mr. Hall for the defendants in error

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The Commissioners of Harford County vs. The United States

This cause was argued by Mr. Richardson for the plaintiffs in error and by the Attorney General for the defendants in error

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The United States vs. Boyd

This cause was argued by Mr. Boyd for the plaintiffs in error and by the Attorney General for the defendants in error

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Thursday February 16th 1843

The Court met according to adjournment and present the Honorable Roger B. Taney Chief Justice
Henry Baldwin
John McKinley
Peter V. Daniel
Samuel Nelson
Joseph Story

The Baltimore Steamboat Company of Maryland
vs
William Hodgson

This cause came on to be heard on the transcript of the record from the Circuit Court of the District of Columbia for the County of Alexandria and was argued by Counsel on consideration whereof, it is ordered and decreed, that the decree of the Circuit Court of the District of Columbia in the County of Alexandria in this cause be and the same is hereby affirmed with costs.

The Baltimore Steamboat Company of Maryland
vs
The Alexandria Packet

This cause came on to be heard on the transcript of the record from the Circuit Court for the District of Maryland and was argued by Counsel on consideration whereof, it is ordered and decreed, that the decree of the Circuit Court for the District of Maryland in this cause be and the same is hereby affirmed and remanded with Costs to the Appellee in said Cause.

Thomas Hepburn's Executors
vs
Daniel Dennis

This cause came on to be heard on the transcript of the record from the Circuit Court for the District of Columbia for the County of Washington and was argued by Counsel on consideration whereof, it is ordered that the writ of Error in this cause be and the same is hereby dismissed with costs. (Agreement filed)

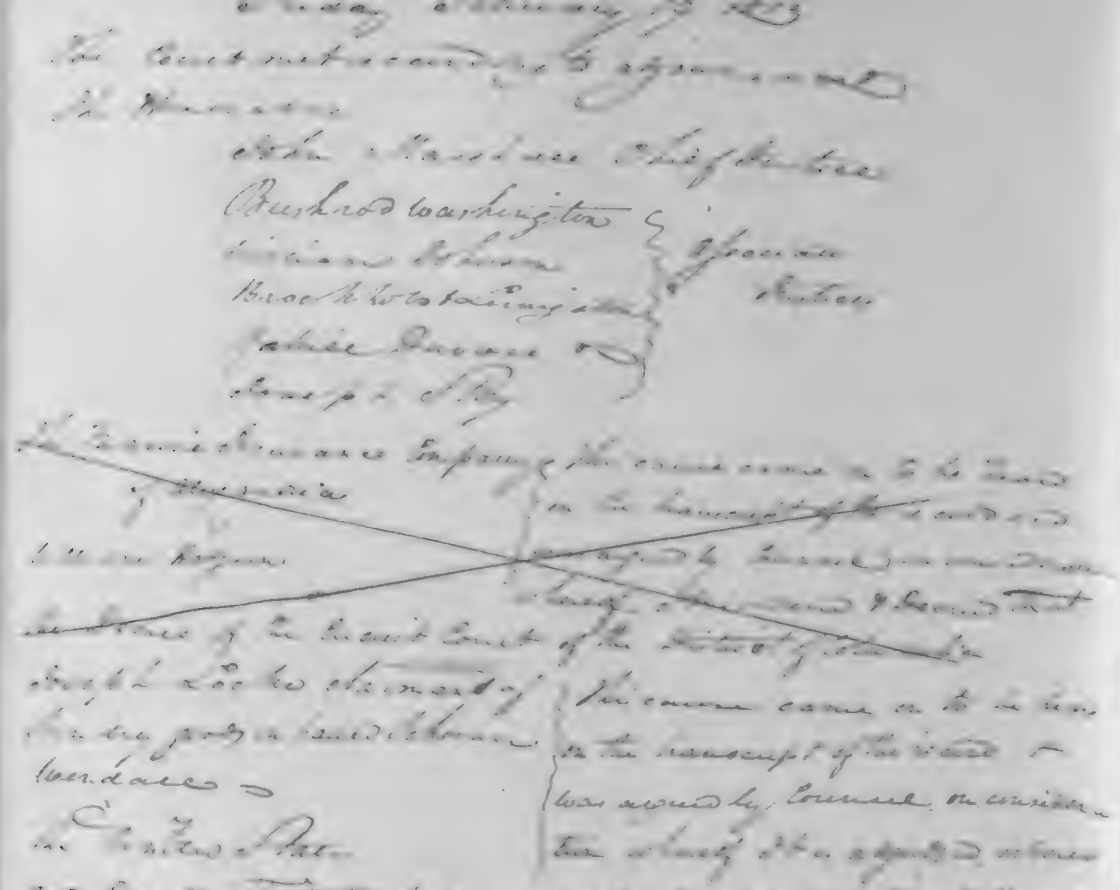
The Union Bank
vs
Peter Hagner et al

This cause came on to be heard on the transcript of the record from the Circuit Court for the District of Columbia for the County of Washington and was argued by Counsel on consideration whereof, it is ordered and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Samuel Bridges
vs
Peter Hagner et al

This cause came on to be heard on the transcript of the record from the Circuit Court for the District of Columbia for the County of Washington and was argued by Counsel for the Plaintiff. Judge Livingston delivered the opinion of the Court.

The Court affirmed with Costs the decree of the Circuit Court.



The Baltimore and Ohio Railroad Co. } This cause was argued
vs. } by Mr. Taney for the
The United States } Plaintiff and by the
Attorney General for the defendants
and was reargued by Mr. Taney for the Plaintiff
and by the Attorney General for the defendants

Baltimore February 21st 1843

Present
The Chief Justice
Mr. Justice Thompson
Mr. Justice McLean
Mr. Justice Story
Mr. Justice Wayne
Mr. Justice Catron
Mr. Justice Daniel
Mr. Justice Baldwin

The Baltimore and Ohio Railroad Co. } This cause was on the motion
vs. } of the Counsel for the Appellee
The United States } docketed and dismissed
and was argued by Counsel on the motion of the Appellee to dismiss the appeal entered and docketed in the Clerks office of the Circuit Court for the District of Maryland and upon the Transcript of the record of the said Court and upon the argument of Counsel thereupon it is ordered by the Court that the appeal aforesaid be and the same is hereby dismissed with costs

Briscoe & Brent } This cause was argued by Mr. Brent for
vs. } the Plaintiff and by Mr. Key for
Bank of Alexandria } the Defendants

Cage & Richard } This cause was argued by Mr.
vs. } Cage for the Plaintiff and by Mr.
Bank of Columbia } Key for the Defendants

Ordered that the Court adjourn this morning at 11 o'clock A.M.

Monday, 2 January 22 1803

The Court met according to adjournment

Present &c. Members

Joshua B. Board Esqr. Plaintiff's Counsel in this cause

Plaintiff's name not to be struck out of the transcript of the Record for the want of Bail to the Action of Replevin, and order appealed from reversed, on consideration whereof, It is the opinion of this Court, that the Circuit Court erred in reversing the Judgment of the Court below, in the proceedings of the Justices in this cause, and that the Judgment be reversed and annulled and the cause remanded with instructions to enter judgment on the verdict in favor of the Plaintiff in the Court below pursuant to the Act of Assembly in such case made and provided.

Joshua B. Board Esqr. } Counsel
Jones }

Wm. Finlay } Pltf. in error
Wm. Williams, Deft. in error } Writ of error to the Circuit Court of Loudoun
for the defendant

Jno. King, Sheriff of Hampshire } Writ of error to the Circuit Court of Hampshire
Jno. Hood, Pltf. } for the Defendant

Jno. Hood, Pltf. in error to the Judgment of the Court of Hampshire

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Tuesday February 23 - 1813

This cause coming on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel on consideration whereof it is ordered adjudged and decreed that the decree of the said District Court in this cause be affirmed with costs.

The Brig Nancy &c Cargo
Grant &c Jordan Claimants
The United States

Same decree

The United States
The Brig Eliza
&c Claimants

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is ordered adjudged and decreed that the decree of the District Court for the District of Louisiana in this cause be and the same is hereby affirmed with costs and the cause remanded to the said District Court for the purpose of carrying the decree into execution.

Porter
vs
Swasey

Appeal dismissed

Lacoste
vs
Pelton

Appeal dismissed

Georgia } Mr. [illegible] Chairman of Committee of Claims
v. } Mr. Lamar against the Chairman of Committee
United States }

Same
v.
Same

Stead } Mr. [illegible] Chairman of Committee of Claims
v. } Mr. Lamar against the Chairman of Committee
Evans } The Court adjourned the Case over to next Term

Saturday February 3d 1883

The Court met according to adjournment

Present the Honorable
Stanley Matthews Associate Justice
Samuel F. Miller
William Strong
Joseph P. Bradley
Ward Hunt
Morrison R. Waite Chief Justice

The following cases were called in the order in which they stand on the docket and were argued by counsel

No. 1 Original. The State of Georgia, Complainant, vs. The State of Tennessee, Defendant. Motion for leave to file bill of complaint.

Mr. Attorney General Brewster for the motion.

Mr. Lamar contra.

Motion denied.

No. 2 Original. The State of Rhode Island and Providence Plantations, Complainant, vs. The State of Massachusetts. Motion for leave to file bill of complaint.

Mr. Attorney General Brewster for the motion.

Mr. Matthew Hale contra.

Motion denied.

the cargo of the Barque Agenoria Flagg. Reserve Honduras claim not

The United States

This cause came in the regular course of the transcripts of the record and was argued by counsel on consideration whereof it is ordered and adjudged that the decree of the District Court of the United States in this cause ordering the goods, wares & merchandize claimed by Messrs Hondurans, be and the same is hereby affirmed with costs.

The cargo of the Barque a Boat Hondurans claimants

The United States

Same Decree

William Williams & al Libellants

Page & Knight & others

This cause was further argued by Mr Dana for the Libellants

Ann Archer

Daniel Carter

This cause was decided by Judge Betts adversely in this case, & carried up and the decree Reversed

The Brig Ann Maria

Burchard Washington

William Atkinson

Benjamin Washington

Calvin Durance

Joseph Peru

Associate Libellants

The Schooner Eliza Ann

The United States

This cause came on to be heard on the transcript of the record and was argued by counsel on consideration whereof it is ordered

mation mentioned as forfeited to the United States; But that there is Error in that part of the Decree which condemns the Schooner Eagle & the residue of the cargo, This Court doth therefore adjudge & order that so much of the Decree of the District Court as condemns the Schooner Eagle & the residue of the cargo of the said Schooner be and the same is hereby reversed and the said Schooner & the residue of the cargo be restored to the Claimant

The Brig Active Claimant
vs
The Active & Cargo

} On the Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record and upon argument & consideration whereof this Court is of opinion that there is Error in so much of the decree of the District Court of Louisiana as condemns the said respective part of the cargo of the Brig Active & as condemns the said Brig Active & her tackle, apparel & furniture, and that the same should therefore be reversed and annulled and as to the residue of the cargo it is affirmed —

The Schooner Daniel Decker } This cause came on to be heard on the transcript of the record and upon argument & consideration whereof this Court is of opinion that there is no Error in the decree of the District Court of Louisiana condemning the said Schooner Daniel Decker & her tackle, apparel & furniture & the residue of the cargo, This Court doth therefore affirm the decree of the District Court in this behalf —

Monday March the 13th —
The Court being met according to adjournment
Present the Honorable
John Rutledge Esq. Chief Judge
William Cushing
Robert Harper
James Wilson
Samuel Chase
Oliver Ellsworth
} Esqrs Judges

Ford
v
James Hinton

The Mayor &c of Lancaster
complaining
v
Alexander

Robert Shiels & others
v
The Mayor &c. &c.

The Court adjourned without transacting any business

Thursday March 4th 1813

The Court met according to adjournment

Present The Honorable
Sir Alexander Chief Justice
Bayley
Wrottesley
Le Blanc
Dampier
Abbott

Robert Shiels & others
v
Mayor &c. &c. of Lancaster

The Court adjourned without transacting any business

Friday March 5th 1813

The Court met according to adjournment

Present The Honorable
Sir Alexander Chief Justice
Bayley
Wrottesley
Le Blanc
Dampier
Abbott

Thos D Ferguson &c
vs
Walter W. Harwood

This cause came on to be heard on the transcript of the record and was argued by counsel on the Motion of the appellee and on consideration whereof it is adjudged and decreed that the judgment of the Circuit Court of the United States for the District of Maryland in this cause be and the same is hereby affirmed with costs

Robert Ware &c
vs
Hepburn & Dundas

This cause was further argued by Mr Pendleton for the appellants and by Mr Taylor for the appellees

Edward Livingston &c
vs
Peter Derbigny &c

This cause was further argued by Mr Livingston for the appellants and by Mr Taney for the appellees

Saturday March 1st 1823

The Court met according to adjournment

Present The Honorable

John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thos Todd
Joseph Story

} Associate Justices

Jones Briggs
vs
Thos Swann & Thos Swann

This cause came on to be heard on the transcript of the record and was argued by Counsel on the Motion of the appellee and on consideration whereof it is adjudged and decreed that the judgment of the Circuit Court for the District of Maryland in this cause be and the same is hereby affirmed with costs

Edward Livingston
vs
Peter Derbigny &c

This cause was further argued by Mr Livingston for the Plaintiff in Error and by Mr Taney for the Defendants

John Blackburne
and
Samuel Wharton Esquires } This cause was formerly set down by Mr Dunning

The Court adjourned over Monday Morning 10 o'clock

Monday March 6th 1775

The Court met according to adjournment

Present The Honorable

John Marshall Chief Justice
William Allen
Nicholas Lechmere
Samuel Chase
George Hay

John Philip Sterke } This cause came on to be heard on the
and } transcript of the Record and
Tilghman Chesapeake &c } Errors assigned & was argued by Counsel
on consideration whereof this Court
is of opinion, that the Circuit Court erred in directing the Jury
that if they should find the facts in a special verdict
under the policy to be American property, that
thereupon they should find for the Plaintiffs
It is therefore considered by the Court, that the judgment of the Circuit Court be
reversed and annulled, and that the cause be remanded
to that Court to be proceeded in according to law

William Hollingsworth
Elisha Tyson
Jonathan Pitcher
William Hollingsworth } This cause came on to be
and } heard on the transcript of the
Record and was argued by Counsel
Upon consideration whereof it is adjudged
Sarah Ann Carter and ordered and decreed that the Decree
John a Lunatic from } of the Circuit Court for
Hugh Young &c } the District of Pennsylvania in this
Executors of the } cause be and the same is hereby
William Carter } affirmed with costs

John Blackmore }
Thos. Robinson Esqrs } In Consideration of the Sheriff
and Mr Martin For the Plaintiff

Tuesday August 2nd 1825

In Court as on Friday last

Present The Honorable
John Mathewson Chief Justice
William Dr Hutton
Joseph Dr Hutton
James Dr Hutton
Joseph L Tilley

Wm. F. Brooker } This cause came on to be heard on the
vs. } transcript of the record returned by
The Attorney Gen. } the Attorney Gen. In consideration whereof it is
ordered that the judgment of the Circuit Court for the District of
Queens County be and the same is hereby reversed annulled
and set aside and it is further ordered that the said cause be remanded to the
said Circuit Court with directions to award a venire facias
de novo

Isaac Deacon, & al Plts } This cause was heard by Parties
vs. } heard in Person & by Counsel
Isaac Deacon & al Defts } for the Plaintiffs but on the Motion of
Counsel for the Plaintiffs that the Writ of Error
& transcript of the record in the case of Deacon
& others against Deacon & others might be withdrawn
& a writ of Error to the Circuit Court of Queens be issued in
its stead Ordered that the Writ of Error & transcript
be withdrawn

The Court adjourned till tomorrow Morning 11 o'clock

11

Circuit Court U.S.

In Equity

Present The Honorable
The Chief Justice of the United States
Circuit Judge
William Cranch
Robert Cox & Company
Gabriel Duvall
Joseph L. Stone

} Associate Justices

Patent Case

This cause came on to be heard on the transcript of the record, and was argued by counsel on consideration whereof, the Court is of opinion that a writ of injunction ought to issue as prayed for by the complainant, to restrain the defendant from the use of the machine described in the bill of complaint, and the defendant having appealed from a decree of this Court to the Supreme Court of the United States, and the said Supreme Court having reversed the decree of this Court, and remanded the cause to this Court, with instructions to dismiss the bill of complaint, it is now ordered, adjudged and decreed by this Court, that the decree of this Court be reversed and annulled, and that the cause be remanded to the Circuit Court for the District aforesaid, with instructions to dismiss the bill of complaint, and to proceed therein according to law.

Case stated & Motion & Affidavit on further argument by Mr. Carroll for Pltff & Mr. Key for Deft

Mr. Key for Mr. F. S. Key & Mr. Law for Defendant

The Court adjourned to the morning Meeting 11 o'clock

Thursday, March 11th 1813

The Court met according to adjournment present

The Hon. [illegible] Chief Justice
Bushrod Washington
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] } Associate Justices

The Lessee of Daniel Barnitz
Jacob Barnitz Sen. Barnitz
[illegible] } Judgment of Circuit Court of Penna. affirmed with costs

[illegible]
vs
[illegible] } Judgment of Circuit Court affirmed with costs

[illegible]
vs
[illegible] } [illegible] Judgment

[illegible]
[illegible] Mills
[illegible] Bangs use of
[illegible] Hampton } Judgment of the Court below affirmed with costs.

[illegible] } A Motion for Supersedeas [illegible] Writ of Error in the
[illegible] } case was overruled by the Court

Elisha Boggs
vs
William Lindsay } This cause was argued by [illegible] for the Plaintiff in Error and by [illegible] for the Defendant

The Court adjourned till tomorrow Morning 10 o'clock

January Term A.D. 1823

The Court met according to adjournment

Present The Honorable

Peter Randolph Chief Justice
Benjamin Gaskins
Nathaniel Allen
Richard Cullen Hargrave
Gabriel Duvall
Joseph Bay
} Associate Justices

Ordered that the order of this day be entered of record

Ordered that Thomas Hall be appointed Attorney for the Plaintiff in this suit

Ordered that Thomas Hall be appointed Attorney for the Defendant in this suit

Ordered that the suit of Ann Smith against Thomas Hall be continued

Ordered that the suit of Ann Smith against Thomas Hall be continued

January Term A.D. 1823

The Court met according to adjournment

Present The Honorable

Peter Randolph Chief Justice
Benjamin Gaskins
Nathaniel Allen
Richard Cullen Hargrave
Gabriel Duvall
Joseph Bay

Robert Fulton Plaintiff
Livingston & Williams Defendants
Appellants

Appeal from the Court of Errors of the State of New York

La Jeune Eugenie
Jean Baptiste Chaumont
Claimant
vs
The United States

Appeal from the Sentence of the District Court of Orleans affirmed with costs

The Sloop Active Thomas
Joseph Baptiste Chaumont
Claimant
vs
The United States

The Sentence of the District Court of Orleans affirmed with costs

Le Duc de Montebello
Edward Livingston
Claimant
vs
The United States

The Sentence of the District Court of Orleans affirmed with costs

The Sloop Jane de Hamilton
The United States

Dismissed

Le Duc de Montebello
vs
The United States

Motion for Reference to the Clerk to take the account of costs

Benjamin Wait Esqr
Receiver &c
vs
Jonathan Lawrence

Leave granted to amend answer

Philip Barton Key & Francis S. Key
Executors of Thomas Key deceased
vs
David Porter Register
of the Land Office

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia for the County of Washington and was argued by counsel on consideration whereof it is the opinion of this Court that there is no error in the judgment of the said Circuit Court of which this Court hath cognizance in the manner and form as the same stands against the plaintiffs in error and that the said judgment be affirmed with costs. And it is further ordered that the said cause be remanded to the said Circuit Court of the United States with instructions to carry this judgment into execution.

Thomas Riggs
vs
Johnson & Stonestreet

Judgment of the Court that for the reasons given in this case affirmed with costs. Damages at the rate of 6 per centum per annum, not to be computed

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Wm. R. Stone
vs
Archibald Bogue &c

Upon the question on this cause to be decided by this Court, whether the Circuit Court erred in awarding a writ of Mandamus to the Register of the Land Office for the purpose ordered by the said Court, which appears on the record of the said cause, to be issued to the said Register, directing him to enter a certificate to the assignee of the Heirs of Lieut. Richard Dale, for the quantity of one hundred and sixty acres of land, that in the opinion of this Court a writ of Mandamus ought not to be awarded by the said Circuit Court in the case aforesaid.

Benjamin Mitchell
vs
Wm. Barry Lowndes & Barry

This cause came on to be heard on the transcript of the record of the Circuit Court for the District of Maryland and was argued by counsel & consideration whereof, this Court is of opinion, That there is no error

William Talmadge
vs
Robert Greenleaf

This cause came on to be heard on the transcript of the record, on consideration whereof, It is ordered, that the sentence of the Court of Errors in the State of Connecticut, in the proceedings mentioned, be affirmed, and that the Supreme Court of the United States do adopt & enforce the mandate to the Supreme Court of that State requiring the Militiamen in Civil Cases. It is further ordered & decreed, that the judgment of the said Supreme Court of Errors of the State aforesaid be reversed & annulled, & that the cause be remanded to the said Supreme Court of Errors, with Direction to proceed in the manner & form

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Robert Young, Esq.
vs
Levi Hollins & James Lawrason.
vs
David Black.

This cause came on to be heard on the transcript of the record, & was argued by Counsel, on consideration whereof, It is the opinion of the Court that the Circuit Court for the County of Alexandria erred in admitting the Evidence objected to in the second Exception. The judgment of the said Circuit Court is therefore reversed & annulled, and the said cause is remanded to the said Circuit Court, with Direction to award a venire facias de novo

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The Ship Hope & Cargo
vs
The United States

The sentence of the District Court of Orleans is affirmed with costs

---

The Brig Caroline
William Broadfoot Clt.
vs
The United States

This cause came on to be heard on the transcript of the record and was argued by Counsel, On consideration whereof, It is the opinion of this Court, that the libel is too imperfectly drawn to found a sentence of condemnation thereon. The sentence of the said Circuit Court is therefore reversed & the said cause remanded to the said Circuit Court

The Ship Early &c
United States
Same Sentence

The Schooner Ann
The United States
Same Sentence

The United States
Robert Sallerson
This cause came on to be heard on the Manuscript of the record, and was argued by counsel, & consideration whereof it is the opinion of this Court that the Circuit Court misdirected the jury to allow a credit to the defendant for the amount of Bonds discounted by him, & therefore reversed and ordered, that the judgment of the Circuit Court for the District of Kentucky in this cause be reversed & annulled & that the said cause be remanded to the said Court with directions to award a venire facias de novo

The United States
vs
Peter Bell
This cause came on to be heard — the Transcript of the record & was argued by counsel on consideration whereof it is the opinion of this Court that the said Circuit Court Erred

Seth Barton
vs
Edward Bayard
Judgment of the Circuit Court reversed

The Court adjourned till tomorrow morning 9 o'clock

Smith Buckman &
Curtis
v.
Delaware Rr. Company.

Argument had in this
case and the opinion of
the Court reserved

Patrick & Tiffin
vs
Benj. Frazer

Motion filed by the Pltff's atty
for the order for dismissal of
this case

and reserved the case upon a motion of counsel
of the parties in the cause being filed.

Elisha Loullen
vs
Benj. Fraziers
Admr &c

Plaintiff's Death suggested and on
motion of Mr. Dill of Counsel for
Pltff Ordered that Mary Loullen
Admx of Elisha Loullen deceased
Thomas Loullen Executor of the last
will & testament of Elisha Loullen deceased
William Hughes & Charles Loullen
Loullen & Caty Loullen, children of Elisha Loullen deceased.

The Court came to the Decision on the Demurrer
of the second Plea argued by Counsel & Judgment
is ordered and given
[illegible]
[illegible]
[illegible]

Resolution for enforcement of Judgment
to the Circuit Court by the decree of the Supreme
Court, and the Execution thereof

The President Directors & Co. of the Insurance Co. of North America
vs
Thomas Watson & Henry Hudson
} Plaintiff's cause and suit dismissed

John P. Van Ness } This cause coming on to be heard on the Motion
Joseph Forst } of the Plaintiff & the Bill filed & Affidavit

The United States } On Motion by consent of the parties
for the Dist. of Penn. } it is ordered & decreed that the decree of the
Circuit Court } Circuit Court of Connecticut in this cause be and the same is hereby reversed, and the decree of Pennsylvania of the District Court of said District be affirmed.
The Court adjourned till tomorrow morning 8 o'clock

Wednesday February 5th 1817

The Court met according to adjournment -
Present The Honorable
John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Corbet & Griffith } This cause coming on to be heard
John Frazier } & Counsel for Plaintiff in Error &
Defendant in Error } for Defendant -

Daniel Caldwell Plff
William M'Kaig Deft
} The cause is now argued by Mr Caldwell for the Plaintiff and by Mr Doyle for the Defendant &c

Edward Macleod Plff
John Young Deft
Thomas Reed of Prospect Farm
} By consent of parties it is ordered that the Judgment of the Circuit Court for the District of Columbia rendered in this cause on the 10th day of May last be affirmed with costs and damages at the rate of six per centum per annum including interest

William Foster Plff
Jacob Foster Deft
} By consent of parties this cause is dismissed with costs

The Court adjourns until the ensuing Morning 11 o'Clock

Wednesday February 10th 1813

The Court met according to adjournment

Present the Honorable
John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Robert Swift
Isle Rogers
} This cause was further argued by Mr Rogers for the Plaintiff & Mr Rodney for the Defendant

Joseph Hancock
The Chesapeake Insurance Co
} This cause was argued by Mr Rogers for the Plaintiff and by Mr Rodney for the defendants

The Court adjourned till tomorrow morning 11 o'Clock

The Court met according to adjournment

Present the Honorable
John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story — } Associate Justices

The Chesapeake Ins Co. } This cause was further argued by Mr Pinkney for the Plff and Mr Cooper for the Plaintiff

Archibald McCall Jr. } This cause was argued by Mr Cooper for the Plff
vs } and by Mr Pinkney and Mr Jones for
The Chesapeake Insurance Company } the Defendants

Samuel Richards and others } This cause was argued by Mr Hunter for
vs } the Plaintiff
The Maryland Ins Company }

The Court adjourned till tomorrow morning 11 O'Clock

Saturday February 12th 1814. The Court met according to adjournment

Present the Honorable
John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story — } Associate Justices

Richard Wells his appointment as Marshal of the District of Columbia from the President of the United States dated the fourth day of February Instant appointing him Attorney General of the United States and by order of the Court the said Attorney General took the oath of office prescribed by Law — —

Samuel Richards and others } This cause was further argued by Mr
vs } Hunter for the Plaintiff and Mr Jones
The Maryland Ins Company } for the Defendants when the Court

Charles Pleasants
vs
The Mayor Com. &c. of Georgetown

This cause was argued by Mr. Key for the Plff and Mr. Jones and Mr. Pinkney for the Defts.

Washington Bank
vs
Joseph Leigh and others

This cause was argued by Mr. Harper for Plff.

The Court adjourned till monday morning 11 o'clock.

Monday February 14th 1814

The Court met according to adjournment

Present the Honorable

John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

} Associate Justices

The Bank of Alexandria
vs
Wm Herbert Junr

This cause was argued by Mr Swann for the Plaintiff and by Mr Taylor for the Deft.

George Edmonston
James Williams

This cause was argued by Mr Taylor and Mr Jones for the Plff and by Mr Key for the Defendant.

The United States
vs
The Georgetown

This cause was argued by Mr Pinkney for the Plff and by Mr Harper for the Defendants.

The Court adjourned till to morrow morning 11 Oclock.

Tuesday February 15th 1814.

The Court met according to adjournment.

Present the Honorable

John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

} Associate Justices

Robert & Griffith
vs
John Frazier

This cause came on to be heard on the transcript of the record and was argued by counsel on consideration whereof. It is adjudged and ordered, that the Judgment of the Circuit Court for the District of South Carolina in this case be and the

John Potter Plff in Error
vs
Joseph Fennell Defendt in Error

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is ordered and adjudged that the Judgment of the Circuit Court for the District of Columbia in the County of Washington be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum according to law.

The United States
vs
Hodge Boggs & Coffrode

This cause was argued by the Attorney for the Plaintiffs and by Mr. Boyd & Mr. Harper for the Defendants

The Court adjourned till to morrow morning 11 O'Clock.

Wednesday February 16th 1814.

The Court met according to adjournment.

Present the Hon.ble
John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Bank of Alexandria
vs
William Herbert Junr

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is decreed and ordered that the Decree of the Circuit Court of the District of Columbia in the County of Alexandria be and the same is hereby affirmed with costs.

Crowdwell & Haines
vs
John Mc Fadon

This cause was argued by Mr. Pinkney for the Plaintiffs and by Mr. Harper for defendants

Archibald Smith
vs
The Marine Insurance Comp.y

This cause was argued by Mr. Harper for the Plaintiff and by Mr. Jones for the Defendants

The Court adjourned till to morrow morning 11 O'Clock

Thursday February 17th 1814.

The Court met according to adjournment.

Present the Hon^ble
John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Joseph Anacreadies
The Executrix &c. Gray
} This cause came on to be heard on the Transcript of the Record, and was argued by Counsel, on consideration whereof it is the opinion of this Court, that there was no error in the opinion of the Circuit Court on the third exception, but that the said Circuit Court erred in giving the opinions stated in the first and second exceptions in the proceedings mentioned, all as therein adjudged and ordered, that the judgment of the said Circuit Court in this case be reversed & hereby is reversed and annulled; and that the said cause be remanded to the said Circuit Court with directions to award a venire facias de novo

The Chesapeake Insurance Company
Joseph Annacreadies
} same Decree

Archibald Grace
The Chesapeake Insurance Company
} This cause was further argued by Mr Emmet for the Defendants, and by Mr Harper for the Plaintiff

The Ship Fame
Robert Stephens Claimt
The United States
} Plaintiff called and not answering suit dismissed.

The Court adjourned till tomorrow morning 11 O'Clock.

Friday February 18th 1814
The Court met according to adjournment.

Present the Hon^ble
John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Washington Hall
Joseph Leigh Jam[s] Sherlock & Thom[s] Sherlock } This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is the opinion of this Court that the Circuit Court erred in giving the instruction to the Jury in the proceedings mentioned. It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and it is further ordered that the said cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

The Common Council of the City of Alexandria } This cause was argued by Mr. Key for the Plaintiffs. and Mr. Swann for the Defendant

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Charles Mason } This cause was argued by Mr. Key
David Thomas adm[rs] } for the Plaintiffs and by Mr. Jones for the Defendant

The Court adjourned till to morrow morning 11 o'Clock

Saturday February 19th 1831.
The Court met according to adjournment.
Present the Hon[ble]
John Marshall Chief Justice
William Johnson —
Brockholst Livingston
Thomas Todd —
Gabriel Duvall
Joseph Story —
} Associate Justices

The Common Council of Alexandria } This cause came on to be heard on the Transcript of the Record and was argued by Counsel
Thomas Preston —

on consideration whereof It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia for the County of Alexandria in this cause be and the same is hereby affirmed with Costs.

George Clementson use of James Sanderson } This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is adjudged and
James Williams

that the Judgment of the Circuit Court for the District of Columbia in the County of Washington in this cause and the same is hereby affirmed with costs

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Archibald Grason
vs
The Maryland Ins. Comp.

This cause came on to be heard upon the Transcript of the Record and was argued by Counsel on consideration whereof it is adjudged and ordered that the Judgment of the Circuit Court for the District of Maryland in this cause and the same is hereby affirmed with costs.

Archibald Grason
vs
The Maryland Ins. Comp.

same Judgment

William M. Pringle & Others
vs
George Taylor and Others

This cause was argued by Mr Jones for the Plaintiffs and by Mr. B. Lee and Mr. Swann for the Defendants

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Sally Carter Heirs
vs
John Mc Calmont Surv.

This cause was argued by Mr B. Lee for the Plaintiffs and by Mr. Taylor and Mr. Jones for the Defendants

The Court adjourned till Monday morning 11 Oclock.

Monday February 21st 1814

The Court met according the adjournment

Present The Hon.ble

John Marshall. Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

Associate Justices

Charles Pleasants
vs
The Maryland Insurance Comp.y

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the Maryland District

and was argued by Counsel on consideration whereof. The Court is of opinion that the Circuit Court erred in giving the instruction in the bill of Exceptions mentioned. It is therefore adjudged and ordered, that the Judgment of the said Circuit Court in the said cause and the same is hereby reversed and annulled and the said cause is remanded to the said Circuit Court with directions to award a venire facias de novo

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Archibald Mc Clelland
William Treadwell Joseph
Beale & Isaac Penrose

vs.

The Insurance Company of
North America

ERROR to the Circuit Court of the District of Pennsylvania

This cause came on to be heard on the Transcript of the Record was argued by Counsel on consideration whereof It is adjudged and ordered that the Judgment of the Circuit Court for the District of Pennsylvania in this cause be and the same is hereby affirmed with

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The Marq. Huntington
The Heirs & Devisees of Barry

This cause was argued by Mr Binney for the Appellants and by Mr Ellmaker and Mr Hopkinson for the respondents

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The Ship Aurora
The Governor Tompkins

This cause was opened by the Counsel for the Claimants of the Ship Aurora It is ordered that the Clerk of the Court do produce to the Court by noon on the affidavit of James Hunter and papers therein mentioned filed by the order of the Court of the 28th July 1813 & have been ordered to be filed

The Court adjourned till tomorrow morning 11 o'Clock.

Tuesday February 22nd 1814

The Court met according to adjournment

Present the Hon^ble

John Marshall — Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story — Associate Justices

The Ship
The Governor Tompkins

This cause was further argued by Mr Hopkinson for the Plaintiff and by Mr Binney for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock.

Wednesday February 23d. 1814

The Court met according to adjournment

Present the Hon.ble

John Marshall — Chief Justice

Bushrod Washington

William Johnson

Gabriel Duvall

Brockholst Livingston

Thomas Todd

Joseph Story

} Associate Justices

Samuel Smith, James A Buchanan and James Calhoun Juniors

William P. Johnson

} Plaintiffs in Error

vs.

This cause came on to be heard on the Transcript of the Record, and was argued by Counsel. On consideration whereof, It is Decreed and ordered that the Decree of the Circuit Court for the District of Virginia in this cause be and the same is hereby affirmed with costs.

George Keith

Isaac Thompson and Richard Ivers

} Plaintiffs in Error

vs.

This cause came on to be heard on the transcript of the record and was argued by Counsel on consideration whereof it is adjudged & ordered that the Judgment of the Circuit Court in this cause be and the same is hereby affirmed with costs.

Samuel Bingham and Benjamin Nichols assignees of John Nicholds

Robert Morris Junr. & John Swanwick Junr. assignees of Comfort Sands

} Appellants

vs.

This cause came on to be heard on the transcript of the Record and was argued by Counsel, on consideration whereof it is decreed and ordered that the Decree of the Circuit Court for the District of New York in this case be and the same is hereby affirmed with costs but without prejudice to any claims which the assignees of John Jones Wilkes may have against the assignees of Comfort Sands for the money paid under the Decree hereby affirmed.

The Bank of Kentucky

The Governor & Company

} Plaintiffs in Error

vs.

This cause was further argued by Mr. Key for the Defendants and by Mr. Wirt for the Plaintiffs

The Ship Venus and Cargo

The Court adjourned till tomorrow morning 11 o'Clock

Thursday February 24th 1814

The Court met according to adjournment

Present the Hon^ble

John Marshall — Chief Justice

Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Schooner Dispatch
vs. Ship Venus and Cargo

This cause was further argued by Mr Pleasants for the Plaintiffs and by Mr Meredith for the Claimants

The Court adjourned till tomorrow morning 11 o'Clock

Friday February 25th 1814

The Court met according to adjournment

Present the Hon^ble

John Marshall — Chief Justice

Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Samuel Richards, William Wilson and Thomas Wilson of Philadelphia
vs.
The Insurance Company of North America

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Maryland and was argued by Counsel on consideration whereof it is the Judgment of this Court that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs

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The Same

vs.

The Baltimore Ins Company

Same Proceedings as in the preceding

Saturday February 26th 1812

The Court met according to adjournment.

Present the Hon^ble

John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Schooner Delphine
&
The Ship Neptune and Cargo
} This cause was further argued by Mr Wirt for the Plaintiffs.

Joshua Barney and other
&
Cargo of the Ship Chesapeake
} This cause was opened by Mr Harper.

The Court adjourned till Monday morning 11 O'Clock.

Monday February 29th 1812

The Court ~~adjourned~~ met according to adjournment.

Present the Hon^ble

John Marshall Chief Justice
Bushrod Washington
William Johnson
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Simeon Crowell and
Joseph Graves
&
John Mc Rae
} This cause came on to be heard on the Transcript of the Records of the Supreme Judicial Court of The Commonwealth of Massachusetts and was argued by Counsel, our consideration whereof, It is the opinion of this Court that there is error in the charge and direction of the said Supreme Judicial Court of Massachusetts to the Jury. It is therefore ordered and decreed that the Judgment of the said Supreme Judicial Court in the said cause be and the same is hereby reversed and annulled. And it is further ordered that the said cause be remanded to the said Supreme Judicial Court with directions to award a venire facias de novo.

Joshua Barney and al[s] } This cause was further argued by
v. } Mr Pinkney for the Defendant
The Brig Planter &c &c } and by Mr Dana for the Plff.

Robert Thomson and al[s] } This cause was argued by Mr Swing
v. } for Plff and Mr Pinkney for Defendants
The Brig Planter &c &c }

The Court adjourned till to morrow morning 11 O'Clock.

Tuesday March 1st 1814.

Present the Hon[ble]
John Marshall Chief Justice
Bushrod Washington }
William Johnson }
Brockholst Livingston } & Special Justices
Thomas Todd }
Gabriel Duvall }
Joseph Story }

Charles Wealey and } This cause came on to be heard on the
wife Widow & Admx of } Transcript of the Record and was argued
Charles Wealey } by Counsel on consideration whereof, It
} is adjudged & ordered that the judg-
of David Weems } ment of the Circuit Court for the Dis-
trict of Columbia in the County of
Washington be and the same is hereby affirmed with Costs.

The Heirs of Wallace Bagging } This cause came on to be heard on
Henry Hunter Edmonds } the Transcript of the record and was
} argued by Counsel on consideration
The Louisa Ratcliff } whereof It is decreed and ordered that
the Sentence and Decree of the District Court for the District of South
Carolina in this cause be and the same is hereby affirmed with costs.

Robert Thomson and al[s] } This cause was further argued by
v. } Mr Pinkney for the Defendants &
The Brig Planter &c &c } Mr Swing for the Plaintiffs.

John Eyahame
&
Benjamin Eyanton
} This cause was argued by Mr. Harper for the Plff and by Mr. Pinkney for the Defendant —

The Court adjourned till to morrow morning 11 Oclock

Wednesday March 2nd 1812

The Court met according to adjournment —

Present The Honorable

John Marshall — Chief Justice
Bushrod Washington
William Johnson
[illegible]
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Judges

David Brown
&
Assembly of Rhode Island
} This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is the opinion of this Court that there is error in the [illegible] by the Circuit Court for the District of [illegible] Therefore Decreed and ordered that the sentence of the said Circuit Court in this case be and the same is hereby reversed & annulled; and the sentence of the District Court in said cause affirmed —

Dunbame and Randolph
&
The Virginia Patriot
} This cause was argued by Mr. Pinkney for the plaintiffs and by Mr. Hamilton and Mr. Dexter for the Defendants —

Thomas [illegible]
&
[illegible]
} This cause was argued by Mr. [illegible] for the Plff and by Mr. Pinkney for the Defendant

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William Branch
&
Same
} This cause was argued by Mr. Key for the Plaintiff and by Mr. Dexter for the Defendant

The Court adjourned till to morrow morning 11 Oclock

Thursday March 3rd

The Court met according to adjournment

Present the Hon^ble

John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

Associate Justices

Mark Pringle
James Parker assee.
Trustees of Dartmouth College

This cause was argued by Mr. Hemphill and Mr. Jones for the Plaintiff and by Mr. Hopkinson for the Defendant

The Court adjourns till tomorrow morning 11 Oclock

Friday March 4th 1814

The Court met according to adjournment

Present the Honorable

John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

Associate Justices

John Graves
John Lenox
This cause was argued by Mr. Hemphill for the Plaintiff and by Mr. Hopkinson for the Defendant

Judge Todd does not sit in this cause.

The Court adjourns till to morrow morning 11 Oclock

Saturday March 5th 1814

The Court met according to adjournment

Present the Hon^ble

John Marshall Chief Judge
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story

Associate Justices

The Brig Alexander and Cargo
This cause was argued by Mr. Wirt for the Plff and by Mr. Pinkney for the Defendant

In May Term 1811

The Court not sitting by reason of

Present the Hon^ble

Bushrod Washington
Brockholst Livingston
William Johnson
Gabriel Duvall
Joseph Story

} Associate Justices

The Brig Wasp and Cargo, Perry and Warren Claimants

John Nelson and others The Marge Jefferson Libellants

} This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged and ordered that the sentence of the Circuit Court for the District of Pennsylvania in this cause be and the same is hereby affirmed with Costs

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The Brig Alexander and Cargo John and Daniel Miller Claimants

John Nelson and others The French armed Vessel Comercia

} This cause came on to be heard on the Transcript of the Record and was argued by Counsels, on consideration whereof. It is ordered and decreed that the sentence of the Circuit Court for the District of Pennsylvania in this cause be and the same is hereby affirmed with cost

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The Brig Sophia and Cargo

} This cause came on to be heard on the Transcript of the Record and was argued by Counsels on consideration whereof. It is ordered and decreed that the Sentence of the Circuit Court for the District of Rhode Island in the cause & the same is hereby affirmed with Costs

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The Brig Julia and Cargo

} This cause came on to be heard on the Transcript of the Record and was argued by Counsels, on consideration whereof. It is ordered and decreed that the Sentence of the Circuit Court for the District of Pennsylvania in this case be and the same is hereby affirmed with Costs

The United States of America — Plaintiffs
Thomas Lee — Defendant

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is the opinion of the Court that the Decree of the Circuit Court of Virginia in this case be reversed that the costs and charges be paid out of the proceeds of the sale. That the one half of the balance be assigned to the Defendants to be shared with Charles one of the Defendants and that the other half be paid to the Captain for the expenses due to the Ship and that one moiety of the proceeds be paid to the Defendants and that the balance be paid to the Plaintiffs pursuant to the former order of the Circuit Court.

Robert Thomson and others — Plaintiffs
Peter St. Clair and others — Defendants

This cause was argued by Mr Irving and Mr Harper for the Plaintiffs and by Mr Pinkney for Defendants.

Colin Campbell — Plaintiff
Jones — Defendant

This cause was argued by Mr Jones for Plaintiff and by Mr Pinkney for Defendants.
The Court adjourned till tomorrow morning 11 o'Clock

Tuesday March 9th 1813
The Court met according to adjournment.

Present the Hon^ble
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

The Brig Mary and Cargo — Plaintiffs
Archibald Taylor and others — Defendants

This cause was argued by Mr Hall for the Plaintiffs and by Mr Jones for the Defendants.

New York Firemen Ins^ Comp^y
The Widow Jane Johnston and others — Plaintiffs
and Daniel Dishon — Defendant

This cause was to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof it is the opinion of this Court that the decree of the Circuit Court

ought to be reversed and annulled, and the cause remanded, with
direction to take an account of such and so much of the
rents & profits which have been or might have been received by the Defendant or the Trustees which have
been completed by Morris and Nicholson on the twenty lots in the
pleadings mentioned, and also to take an account of the money and
interest thereon, which was demandable by the Defendant on each
completed lot; and that an issue be had whether any
or how many lots be finished or unfinished, and what damages have been sus-
tained by the Plaintiff by reason of Nicholson's failure to have
finished by the twenty lots by him contracted for on the
16th May 1797, whether finished or unfinished, on those lots which
shall be found to be completed to the Plaintiff's use the rents thereof
are to be the Defendant and that on taking the account of rents
which may accrue due to the said Trustees after deducting the
rents and profits before mentioned and the damages aforesaid to be
directed to convey to the Plaintiff a number of Hundred Lots which
shall be equal to the number of Houses completed by the said Morris
and Nicholson in pursuance of the contract of September 1789 the said
lots to be those on which the houses stand which may have been com-
pleted, and if there be more than one house standing on the same square
and lots so that it may be necessary to convey lots not fully improved
in order to make the quantity of ground equal to the superficial contents
of the Hundred lots to be conveyed, then such square and lots are to be laid
off by direction of the Circuit Court in such manner as may be most just
and convenient provided that the ground improved on which Morris
Nicholson under the said Contract and re-leases after to
the Defendant in June 1797 be appropriated in the first instance as far
as the same shall suffice or be necessary to make up the quantity of
ground to be conveyed to the Plaintiff [illegible] that no
lot shall be divided and so the Trustees to convey such of the lots
in order to make up the full quantity of the Hundred lots

The Court adjourned the Supreme Court

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* Wednesday June 4th 1800

The Court met according to adjournment

Present the Honble
John Marshall — Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Associate Justices

Charles D. Hungerford } The cause coming on to be heard on the
vs } Transcript of the record and was
Willard P. Holbrook } argued by Counsels, on consideration
whereof It is ordered and adjudged, That the decree of the
Circuit Court for the District of Columbia in the County of
Alexandria in this cause, be and the same is hereby affirmed
with costs.

The Brig Diana and Cargo } This cause was further argued by
vs } Mr. Goodrich for the Defendant
Archibald Taylor Esqr. } and Mr. Winder for the Libellants

The Court adjourned till tomorrow morning 2 Oclock

Thursday March 10th 1814.

The Court met according to adjournment.

Present the Honorable

John Marshall Chief Justice
Bushrod Washington }
William Johnson }
Brockholst Livingston } Associate Justices
Gabriel Duvall }
Joseph Story }

The Court adjourned till tomorrow morning 11 Oclock

Friday March 11th 1814.

The Court met according to adjournment.

Present the Honorable

John Marshall Chief Justice
Bushrod Washington }
William Johnson }
Brockholst Livingston } Associate Justices
Thomas Todd }
Gabriel Duvall }
Joseph Story }

John Green }
vs } The motion for a rule on the Marshal of this District
John Titer Junr. }

Bailey Gardner Lessee — }
Isbell & Gardiner Jr. } This cause came on to be heard on the Transcript
of the Record and was argued by Counsel on
consideration whereof It is Ordered & Decreed
that the Decree of the Circuit Court for the District of Delaware in
the County of Wilmington in this cause dismissing the petition
is Affirmed and mandate sent the cause remanded to said Circuit
Court with direction to proceed to a hearing thereof on the merits
of said petition

The Ship Jefferson &c } The Attorney General argued in favor of
vs } the claims of the United States in this
The Boat Rapids } and other foreign cases, and was opposed
by Chas Hillman and Chas Jones

The Court adjourned till tomorrow morning 11 O'Clock

Saturday March 12th 1814
The Court met according to adjournment
Present the Hon^ble
John Marshall Chief Justice
Bushrod Washington }
William Johnson } Associate Justices
Brockholst Livingston }
Gabriel Duvall }
Joseph Story }

Jacob Endicott and others The } This cause came on to be heard on the
Friends and Schooner Betsey } Transcript of the Record and was
} argued by Counsel on consideration
The Ship Emma and Cargo } whereof It is Decreed and Ordered
Same Owners and other Claimants } that the Sentence of the Circuit Court
of Massachusetts condemning the one hundred casks of white Wine claimed
by Jones and Swiftland be and the same is hereby affirmed with costs,
and that the Sentence of the said Circuit Court and the decree of
Knapp and Jones to twenty one hundred of Cherch Indigo be and the same
is hereby reversed and annulled and that the said twenty one hundred
of Cherch Indigo be condemned to the Captors; and that the Sentence
of the said Circuit Court as to the Ship Emma claimed by Jones and
Swiftland be and the same is hereby reversed and that the said Ship
Emma be condemned the one half thereof to the Captors the other
half to the United States under the Orders of the said Circuit Court

that the sentence of the said Circuit Court, as to the claim of William Ancellard the one half of one hundred and fifty crats of earthen ware, thirty five cases and three casks of assorted ware, three pieces of cotton bagging, and twenty one [illegible] of coals be and the same is hereby reversed, and that the same be remanded to the Captors - and that the sentence of the said Circuit Court, as to the claims of [illegible] Gregory to one half of one hundred and ninety eight packages of Merchandize, as the joint property of himself and of Lamb and Woodland and of the claims of William Ancellard for one fourth of the same goods, and of the claims of [illegible] Gregory to twenty four pieces of cotton bagging and five trunks of Merchandize be and the same is hereby reversed and annulled and that the same be condemned to the Captors - and that the said cause be remanded to said Circuit Court for further proceedings to be had therein

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[illegible] vs. [illegible]
Private Trade
vs.
Sundry goods of the Ship [illegible]
[illegible] Master and [illegible]
William Claimants

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is decreed and ordered that the sentence of the Circuit Court for the District of Maryland in this case be and the same is hereby affirmed with costs

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Same
vs.
Same
Three Steam Woodland Claimants

Same Decree affirmed with costs

The Same
vs.
Same
Three and a Half Claimants

This cause came on &c (as above) It is Decreed and ordered that the sentence of the Circuit Court for the District of Maryland in this case be and the same is hereby reversed and annulled and that the claims of the said Woodland and Wheat be dismissed

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The Same
vs.
Same
Edward [illegible] Browning and Company Claimants

This cause came on &c as before) The same Decree as the last

Cargo of the Ship Frances
Robert & Jas. Thompsons
and Wm. Mills Claimts

75 Wilson Wilson and others
The Privateer Yankee

This cause came on to be heard as above
It is decreed and ordered that the
sentence of condemnation of the
Circuit Court for the District of
Rhode Island in this case be and
the same is hereby affirmed with costs

Same Thompson Claimt

136 " Same

Same Decree

Same

Duncan Kennedy and Partners of
Eyre Staley and Comp Claimts

Same Decree

72 Same

Same

Colin Gillespie Claimant

Same Decree

The same

The Ship Cyrenus
John Odiorne

This cause was argued by Mr Webster for
the Plaintiffs and by Mr Pickman for
Defendants

The Court adjourned till Monday morning 11 o'Clock

Monday March 15th 1813

The Court met according to adjournment.

Present the Honble

Richard Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

Associate Justices

George & Crowder, Thomas Crowder, John
M.c Daniel, and Mary his wife, David
Briggs Jun.r and Mary his wife, Parties
with Colwells and Others, Complainants by
Bill and Amended Bill of Complaint
and Cross and Defendants Amended

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on which it is Decreed and Ordered that the Decree of the Circuit Court for the District of Kentucky be and the same is hereby affirmed with Costs.

19 S

Lewis Craig, Joseph Craig, Richard Miller, Sally Shaw, Joseph Faulkner, Jesse Lamb, Jonathan Lamb, Peter Coard, James Craig, Lewis Faulkner, & Abraham Bowman and Thomas Lindsay

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The King Harams and Cargo

This cause was argued by the Attorney for Defendant and the Counsel for Plaintiffs

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The Ship M.r Laurence & Cargo

John Nelson and others

This cause was argued by Mr. Irving and Mr. Hopkinson for the Plaintiffs and Mr. Pitman for the Defendants

The Court adjourned till to-morrow morning 10 o'Clock

Tuesday March 15th 1814

The Court met according to adjournment

Present the Hon.ble

Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

} Associate Justices

The King Sally and Cargo
Edwards and Ground Claimants

John Nelson and others Claimants

} Appeal

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof it is Decreed and Ordered that the Decree of the Circuit Court for the District of Kentucky be and the same is hereby affirmed with Costs

The Goods of the Ship Triphrate
Matthias Brown Claimants

vs

Joshua Waring and others
The Private armed Schooner Defiance

This cause came on &c (as above)
It is decreed and ordered that
the Sentence of the Circuit Court
for the District of Rhode Island
in this case be & the same is hereby
affirmed with costs &

The United States

vs

The Brigantine Anna
&c Salina both Claims

This cause came on &c (as above)
It is decreed and ordered that the sentence
of the Circuit Court for the District of
[illegible] be and the same is
hereby reversed and annulled, and that the said Brigantine Anna
and cargo be forfeited to the United States, and the said cause is remanded
and sent back to the said Circuit Court for further proceedings to be had
therein.

The United States

vs

[illegible] cargo of Coffee &c

This cause came on &c (as above)
It is decreed and ordered that the Sen-
tence of the Circuit Court for the
District of Maryland in this cause be and the same is
hereby reversed and annulled, and that the said cause is remanded
to the said Circuit Court that the [illegible] fact may be tried

---

Goods of the Ship [illegible]
Lemar Master Claimant

vs

[illegible] and others The
Private armed Vessel Dispatch Libellants
in this cause &c

This cause came on &c (as above)
It is decreed and ordered that the
Sentence of the Circuit Court
for the District of Rhode Island
be and the same is hereby affirmed with costs &c.

Williams [illegible] Claimant

vs

[illegible]

[illegible] decree

Cargo of the Ship Mary
Hudson & Appellees Claimants

vs

Woodside Waylor & others
Private armed Vessel
The Ariel Claimants

It is ordered that the Claimant
have leave to make further proof
by affidavits as to the following
points
1st as to his own diligentia &c

intended as the property of the [illegible]
and their value at that time.

3d as to the time when Downing & Fisher arrived in England
the object which he has in view in going thither, having
he resided there. when the Cargo claimed by him was
laden and when he returned to the United States by

4th as to the instructions which the Fair Jane had on board
at the time of the capture of the Cargo, and particularly
whether the instructions of the President of the 2nd of August
1812. had been delivered to the Captain or had come to the
knowledge of the Captain at the time of the capture, or
whether the said Jane had been in Port after the 2nd of
August 1812. and before the Capture.

It is ordered that the Captain be at liberty to make further
proof as to these several matters? — — — — — —

John Speer
John Tyler Junr &c

Judge Story delivered the opinion of the Court
as follows. "This is a writ of right brought by
the Demandant against the Tenants to recover
a certain Tract of Land not stated in the count. At the last
the Circuit Court for Kentucky district several questions arose upon
which the Judges were divided: and those questions are now before
for the opinion of this Court.

As to the first question, we are satisfied that the Circuit Court had
jurisdiction of the cause. Taking the 11th and 12th sections of the Judiciary
Act of 1789. ch. 20. in connection, it is clear that the jurisdiction attaches
when the property demanded exceeds $500 in value and if upon
the trial, the Demandant proves title, he is not affected by any
fact, at the execution of the writ, may be subject to [illegible]
As to the second question, we are of opinion that, a common law
writ of right will not lie, except against the tenant of the freehold
demanded. If there are several tenants claiming several parcels
of land by distinct titles, they cannot lawfully be joined in one
writ, and if they are they may plead in abatement of the writ. If
the Demandant demands against any tenant more land than he
holds, he may plead in bar as to the parcel not holden, and
if the plea, by the ancient common law, would have abated the
writ, but [illegible] the statute 11. Edw. 2. ch. 4. which may be under

that the act provides that the tenant, at the trial, may, on the general issue, give in evidence any matter which might have been specially pleaded. Will this provision is manifestly confined to matters in bar. It cannot be supposed that the legislature meant to give to mere exceptions in abatement the full effect of a perfect bar on the merits; which would be the case if such an exception would authorize a verdict for the tenant on issue joined on the mere writ. The time and manner of filing the pleadings must, of course, be left to the established practice and rules of the Court. As to the fourth point, we are of opinion that, under the act of Virginia of 1796, the tenant may, at his election, plead any special matter in bar, in a writ of right, or give it in evidence on the mere issue joined. The act is not deemed cumulative but cumulative. ... ... The fifth question is that which has been argued most at length, and to this the Counsel on both sides have directed their efforts with great ability. It is clear, by the whole current of authority, that actual seizin, or seizen in deed, is, at the common law, necessary to maintain a writ of right. Nor is this peculiar to actions on the mere right. It equally applies to writs of entry; and the language of the count, in both cases, is that the Demandant, or his ancestor, was, within the times of limitations, seized in his demesne as of fee &c taking the oyer. It is highly probable that the formal claim of the writ was borrowed in the earliest instruments of title at the common law. It is well known that, in ancient times, no deed or charter was necessary to convey a fee simple. The title by the folk land & perfect dominion was conveyed by a mere livery of seizin in the presence of the witnesses. Hence the notoriety of the ceremony was deemed in the process of the times, that gradually arose the feudal institutions of the Saxons. Deeds and charters of feoffment were of later age, and were held not to convey the whole title, but only to evidence the nature of the conveyance. The solemn act of livery of seizin was absolutely necessary to pass a perfect title, as Blackstone justly remarks. But, whatever may be the origin, the rule as to the actual seizin has long since become an inflexible doctrine of the common law. It has been argued, that the act of Virginia of 1796 ch 57, meant in this respect to change the doctrine of the common law because that act does give the form of the count in a writ of right, and omits any allegation of seizen and taking esplees. But it evidently does not because even the act for the amendment [illegible] on motion considered as the use of ejectment

that it cannot prevail. The form of joining the issue in a writ of right, is also given in the same act; and that form includes the same inquiry, viz. - which hath the better right" as the form at common law. It would seem to follow that the Legislature did not mean to change the nature of the facts which were to be inquired into, but only to provide a more summary mode of proceeding. The clause in the same act allowing any special matter to be given in evidence on the issue joined, may also be entitled to some consideration. That clause certainly shows that it was not intended to relieve the Demandant from the effect of any existing bars. The statute of limitations of Virginia, of 19th December, 1792. ch. 57. which, as to the period as a bar of the old statute limits a writ of right upon a mere seizin to 50 years, and also the Demandant's own seizin to 30 years next before the writ brought. It is then for consideration on the Demandant to prove a seizin within the time of limitation, although he is entitled to recover on the strength of his own title, as stated in the first count in the case. It was the opinion of the Court that the act of 1792 did not mean to change the nature of the proofs as to the title of the parties, but merely to remedy some of the inconveniences in the mode of proceeding.

If then an actual seizin or seizin in fact, be necessary to be proved, it becomes material to enquire what constitutes such seizin. The Counsel for the Defendant has argued, that an actual entry under title and perception of profits were necessary to be proved in order to show an actual seizin. But this is far from being true even at the common law. There are cases in which there is an actual seizin in fact, which is sufficient for all the purposes of an action in the nature of a writ of right. See Co. Litt. 15. a. & it is said that an entry is not always necessary to give a seizin in deed, for if the lands be in lease for years, an entry may be without entry or even receipt of rents. The same is the doctrine as to seizin in a case of a possession in fact. So if a grantee or heir of certain parcels of lands in the same county enter and are possessed in the name of the whole, whereby there is no conflicting possession, the law adjudges seizin in the actual seizin of the whole. Litt. s. 410. 411. Shelley's case. So if a man have a title of entry into lands, but does not enter for fear of bodily harm, and he approach as near the land as he dare, and claim the land as his own, he hath thereby, by such claim, a possession and seizin in the lands, as well as if he had entered or died. Litt. s. 419. And a bare livery within the view of

Let us now consider how far a perfect title to waste and vacant lands can be considered as having passed by a patent under the Land Law of Virginia of 1779. It is argued that such patent conveys only a right to the office of entry which, until executed by actual possession, gives the patentee no actual ownership or right of the land and at all times to the issue of a patent from that office. Possession is but evidence of title, so far as it affords proof that the grant from the crown; but a careful examination will be found to be insufficient to establish its correctness. The livery of seizin is necessary to perfect a title by letters patent. The grantee in such case takes by matter of record, and the law allows the grant of record of equal notoriety with an actual transfer of the land in the view of the country. The contrary is the fact, and performance of the ceremony. This difference alone would seem to carry a perfect title from the crown [illegible] by operation of law, or a patent from the [illegible] of a right and seizin that constitutes a perfect title, and when the law has declared a title perfect, it must include every thing necessary to produce that effect. Accordingly we find it to be settled in Kinnersley's case [illegible] that letters patents are to be good and to pass land to a purchaser [illegible] although not accompanied by livery and seizin. What is a livery in law, but such an act as will [illegible] the right of property. If, for instance, a feoffment [illegible] of land on the land, livery of seizin of one parcel in the name of the whole is livery of seizin of all the parcels. This, therefore, is all the livery that is actually made, is but a livery in law; and yet is all that is necessary to perfect it as a feoffment. And it was upon the feeling of this doctrine that in Kinnersley's case, the court held that the conveyance of a grant by letters patent [illegible] to convey an estate, and such as members of the corporation had been by feoffment, because in neither case could there be a present livery of the future freehold estate. The livery must operate at the time when it is made, or not at all; it is not therefore intended by the court that letters patent of the crown do not require a perfect title, [illegible] to pass lands. But [illegible] to [illegible] admitting it were otherwise, still we think a patent under the Land Law of Virginia must be considered as a statute grant, which is to have only the legal effect attached to it, which the legislature intended. It cannot be doubted that the legislature were competent to give their patentees a perfect title and possession

without actual entry. Have they so done? we think that it is impossible, looking to the language of their acts, & the state of the country to suppose that they will be held to have meant the [illegible] opening of his patent, in as full an extent and beneficial a manner, (subject only to the rights of the commonwealth,) as the commonwealth itself held them. At the time of the passing of the act of 1779, Kentucky was a wilderness. All was the haunt of savages and beasts of prey. Actual entry on possession was impracticable; and, if practicable, it could answer no beneficial purpose. It could create, no notoriety; it could be evidence to no stranger of a change of the property, who only therefore would have occasion, and would, and perhaps ought to enter. It is a case in which the reasons would apply, that the law does not oblige to [illegible] impossible things. [illegible] sent. Where is, no foreclosure that the legislature have expressly made an entry a pre-requisite to the completion of the title. Such a pre-requisite to the completion of the title, such a pre-requisite if it exists at all, must arise from mere implication only, & under circumstances which would render it migatory, we think. We do not think [illegible] fact of liberty, & must see the operation of the grant a limitation which the law has not of itself interposed. [illegible]

And the cases we do say, that mere at common law an actual possession, followed up by an actual occupation of the tract, were necessary to maintain a mere right, which we do not admit, the doctrine would be inapplicable to the waste and vacant lands of our country. The common law itself in many cases dispenses with such a rule, and the statutes of the [illegible] have applied it to many descents. The object of the law in requiring actual [illegible] was to [illegible] notoriety of title to the neighborhood as the most important [illegible] of feudal days. In the simplicity of ancient times there was no means of ascertaining title, but by the visible [illegible]; and, indeed, there was no other mode, between subjects, of proving title but [illegible] of the law itself by the [illegible] delivery of turf or twig. The moment that a [illegible] was the right to [illegible] [illegible], and if ousted, [illegible] [illegible] in possession even to touch the [illegible]. The very object of the rule,

Therefore, your entry [illegible] the patented grounds upon the land and upon the other grounds [illegible] [illegible] and [illegible] and [illegible] and

and bounds. In the case sent by the Court below, the first patentee had the better legal title, and he might recover; by virtue of his patent, given him the best title, as to the whole land, upon the principles which we have already stated. A fortiori, he must have the best title to the land embraced in the overplus of the second patentee. Now, by construction of law, he has the eldest seizin as well as the eldest patent.

As to the eleventh point. We are of opinion, that if a man having title to lands enters into a part in the name of the whole, he is, upon common law principles, adjudged in seizen of the whole, notwithstanding an adverse seizen thereof. But if the land be in seizen of several tenants claiming different parcels thereof in severalty, an entry into the parcel held by one tenants will not give seizen to the parcels held by the other tenants; but there must be an entry into each. 1 Bac. Abr. 252. 4. But if a party of a vacant parcel which is vacant, will not give seizin of a parcel which is in an adverse seizen. But an entry into the last parcel in the name of the whole, will enure also as an entry into the vacant parcels. It does not appear, in the question sent by the Court below, into which parcels the entry is supposed to be made.

Such are the unanimous opinions of this Court, which are to be certified to the Circuit Courts of Kentucky.

Wednesday March 16th 1814

The Court met according to adjournment

Present the Hon'ble

Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

} Associate Justices

Thomas etc. Thewell and others
Privateer &c.

vs.

The Ship Thomas Gibbons & Barge

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on the intervention embraced. It is ordered that the sentence

of the District Court for the District of Georgia dismissing the libel of the libellant Thomas Bennett and others be and the same is hereby affirmed with costs, and it is further ordered that the record be remanded to the said District Court for further proceedings to be had therein as to the United States and the Claimants

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James Prince and Elizabeth his Spouse
vs
Jonathan Bourne & others

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof it is ordered adjudged and decreed that the Decree of the Circuit Court be affirmed in all its parts with costs.

The Ship Mc Lawsons Cargo
vs
John Nelson and others

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof it is ordered adjudged and decreed that the Decree of the Circuit Court be affirmed in all its parts with costs except so far as it confirms to the Cargo which was claimed by Mrs Penniman and Mrs Mac Gregor respecting which, the Court will advise. But the mean time it is ordered that Mrs Penniman and Mr Gregor have leave to make further proof by affidavit and the production of the documents of their right to the property claimed, at the time of its shipment at Liverpool and that the Captors have the same right.

Mrs Rivers and others
vs
The Brig Hiram Cargo
Barbara & Gentlemen Libel

This cause came on to be heard on the Transcript of the record and was argued by Counsel, on consideration whereof it is ordered adjudged and decreed that the Sentence and Decree of the Circuit Court for the District of Massachusetts in this cause be and the same is hereby reversed and annulled, and that the said Brig Hiram and Cargo be condemned to the Captors as prizes of war, and that the said cause be remanded to the said Circuit Court for further proceedings to be had therein

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The Juno
vs
Nelson and others and Claimants of Brig Hiram and others Claimants

James Decree

Benjamin Chapman
and others

case be and the same is hereby affirmed with costs

Charles DeWolf Jun^r

vs

Walter Hubbard

This cause came on to be (as above)
It is adjudged and ordered that the
Judgment of the Circuit Court for the
District of Rhode Island in this case
be and the same is hereby reversed and annulled, and that judg-
ment be entered for the Defendant in the said Circuit Court

The Supreme Court of the United States began and held at the City of Washington on the first Monday (being the sixth day of Feby) in the year of our Lord one thousand eight hundred and fifteen

Present

The Hon.ble John Marshall Chief Justice

Bushrod Washington
William Johnson
Gabriel Duvall
} Associate Justices

Ordered that the Marshall procure a seal of the Law of the United States for the use of the Court

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday February 7th 1815.

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice

Bushrod Washington
William Johnson
Gabriel Duvall
} Associate Justices

Wm Wirt Esq.r
John M. Randall and Wm
} Counsel moved by the Clerk for the Plff and the Same for the Defendants

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday February 8th 1815

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice

Bushrod Washington
William Johnson
Gabriel Duvall
} Associate Justices

Wm Wirt
William Mannay
} Esqrs for Plff against the Caveat

The Ship William } This cause was argued by Mr. Key for the Claim. and by Mr. Rawle for the Defts.

Joseph H. Mandeville's Exrs } This cause was opened by
The Union Bank of Geo. Town } Mr. Swann.

Charles Simms } This cause was opened by
Adam Guthrie and others } Mr. Swann.

The Court adjourned till tomorrow morning 11 o'Clock

Thursday 7th February 1815.

The Court met according to adjournment.

Present

The Hon.ble John Marshall Chief Justice.

Bushrod Washington }
William Johnson } Associate Justices
Gabriel Duvall }

Albert and James H. Mandeville Exrs of Joseph H. Mandeville deceased
Charles Simms } This cause was further argued by Jones for the Defendants and by Swann for the Plaintiff
Adam Guthrie &c.

William Deane and others } This cause was argued by Key for the Plaintiffs and by Taylor for the Defts.
Daniel Williamson and others }

John M.c Ivers Lessee. } This cause was opened by
Archer and Lafsiter } Mr. Swann.

The Court adjourned till tomorrow morning 11 o'Clock

Friday February 10th 1815

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story

} Associate Justices

John Mc Dowell's Lessee
Walter Mc Lafferty

} This cause was further argued by Mr. Jones for the Defendants and by Mr. G. Lee for the Plaintiff

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Isaac Hendrickson and others
The United States

} This cause was argued by Mr. Jones for the Plaintiffs and by Mr. Rodney for the Defendants

The Court adjourned this cause over to tomorrow morning 11 o'Clock

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Saturday February 11th 1815

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
Gabriel Duvall
Joseph Story

} Associate Justices

Nicholas J. Bruce and others
Edmund Mc Clung's Lessee

} This cause was argued by Mr. Rodney for the Plaintiffs and by Mr. Jones for the Defendants

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Richard Mc Cubbin
Andrew Mc Clellan's Lessee

} This cause was argued by Mr. Jones for the Plaintiff and Mr. Rodney for the Defendant

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Matthew Dalton's Lessee
William Hunter

} This cause was opened by Mr. Humphreys.

The Court adjourned to Monday morning 11 o'Clock

Monday February 13th 1815

The Court met according to adjournment

Present.

The Hon^ble John Marshall Chief Justice
Bushrod Washington }
Thomas Todd Livingston } Assistant Justices
Gabriel Duvall and }
Joseph Story. — }

The Virginia Insurance Co^y } This cause was argued by Mr^r Key and
vs } Mr^r Emmery for the Plaintiff and by
The United States — } Mr^r Law for the United States

The Court adjourned till tomorrow morning 11 O'Clock.

Tuesday February 14th 1815.

The Court met according to adjournment.

Present.

The Hon^ble John Marshall Chief Justice
Bushrod Washington }
Thomas Todd Livingston } Assistant Justices
Gabriel Duvall and }
Joseph Story — }

Matthew Patton's Lessee } This cause was further argued by Mr^r Key
vs } and Mr^r Swann for the Defendant and
William Easton — } by Mr^r Jones for the Plaintiff —

Conrad Faber } This cause was argued by Mr^r Key for the
vs } Plaintiff and by Mr^r Hunter for the Defe^t
Parrott and Lee. }

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday February 15th 1815.

The Court met according to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story — } Associate Justices

The Brig Hoppet &c } This cause was argued by the Att^y for the
The United States } Plff and by Mr. Law who then took for
the Defendants

The Ship Richmond } This cause was argued by Mr. Harper for
The United States } the Plff and by Mr. Law and Mr. Pinkney
for the Defendants

The Court adjourned till tomorrow morning 11 o'Clock

Thursday February 16th 1815

The Court met according to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story — } Associate Justices

The Ship Fortune &c } This cause was argued by Mr. Law for the Plff
John Adams } and by Mr. Hopkinson for the Defendants

Thomas Randolph &c } This cause was argued by Mr. Law for the
James Donaldson } Plff and by Mr. Taylor for the Defe.

The Court adjourned till tomorrow morning 11 Oclock

Saturday February 17th 1815

The Court adjourned met according to adjournment

Present
The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Thomas Law Jr. vs. Stephen Girard } This cause was argued by Mr. Hopkinson & Lee for the Plaintiff
John Mc Farland Jr. vs. }

The Ship Commerce } This cause was argued by Mr. Key for the Plaintiff and by Mr. Jones for the Defts
vs.
The United States }

The Court adjourned till to morrow morning 11 o'Clock.

Saturday February 18th 1815

The Court met according to adjournment.

Present
The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story
} Associate Justices

Dunham and Randolph } This cause was argued by Mr Hopkinson and Mr Emmet for the plaintiffs and
Wilcox Wilson and others } by Mr Dexter for the Defendants

The Ship Thomas and Ann } This cause was argued by
Archibald Taylor &c. } Mr Hopkinson

The Court adjourned till to morrow morning 11 o'Clock

Monday February 20th 1815

The Court met according to adjournment.

Present the Hon^ble
John Marshall Chief Justice
Bushrod Washington
Wm Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

The King & Story vs Burgess } This cause was further argued by
Archibald Taylor for Pltf } Mr Woodward and Mr Emmet
for the Defendant

The Court adjourned till tomorrow morning
11 Oclock

Tuesday February 21st 1815

The Court met according to adjournment

Present
The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

The King & Story vs Burgess } This cause was further argued by
Archibald Taylor for Pltf } Mr Mahony for the Plaintiff

King & Gelston } This cause was argued by Mr Ogden
Law Reporter } for the Defendant

The Court adjourned till to morrow morning 11 Oclock.

Wednesday February 22nd 1815

The Court met according to adjournment.

Present
The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

[illegible] for the plaintiffs and Mr Rogers
Aaron Burr & Blennerhassett } for the Defendant
The Court adjourned till to-morrow 11 O'Clock

Thursday February 23d 1815
The Court met according to adjournment
Present
The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story
John Clarke Esqr } This cause was further argued by Mr Harper
Aaron Burr } for the Defendant and by Mr Hopkinson for the Plaintiffs

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The United States } This cause was argued by Mr Rowe for the Plaintiffs and by Mr Harper for the Defendants.
Cyrus Eyster and others }
The Court adjourned till to-morrow morning 11 O'Clock

Friday February 24th 1815
The Court met according to adjournment
Present
The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story
The King Dispatch &c Barge
J. Eldridge and other Claimants } By agreed that the appeal in this case is dismissed
Stephen Clark and others
Privateer Castigatore

The United States
vs
Gideon Granthorp &
Nathaniel Gelston } This cause was argued by Mr. Jones for the Plaintiff and by Mr. Dallas for the Defendants

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Gelston and others
vs
Law } Mr. Jones commenced the opening of this case
The Court adjourned till to morrow morning 11 o'Clock

Wednesday February 25th 1815.
The Court met according to adjournment.
Present
The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story } Associate Justices

Gelston & others
vs
Law } Mr. Jones proceeded in the opening of this cause.
The Court adjourned till to morrow morning 11 Clock

Thursday February 26th 1815
The Court met according to adjournment
Present
The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story } Associate Justices

Gelston & others
vs
Law } This cause was further argued by Mr. Jones for the Plaintiff and Mr. Dallas for the Defendants
The Court adjourned till to morrow morning 11 Clock

Tuesday February 28th 1815

The Court met according to adjournment.

Present
The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story — } Associate Justices

Pratt and others } This cause was further argued by Mr Key for
Lee — } the Defendant and by Mr Jones for the Plaintiffs

The Court adjourned till tomorrow morning 11 o'Clock.

Wednesday March 1st 1815

The Court met according to adjournment.

Present
The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story

Pratt & others } This cause was argued by Mr Key for the Plaintiffs
vs } and by Mr Key & Mr Pinkney for the defendant
Campbell

The Court adjourned till to-morrow morning 11 o'Clock

Thursday March 2nd 1815.

The Court met according to adjournment.

Present
The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices.
Gabriel Duvall and
Joseph Story

Pratt & others
vs } This cause was further argued by Mr Key for the Plaintiffs
Campbell &c

Oliver Evans
Jacob Fraunces } This cause was argued by Mr. Hopkinson for the Plaintiff and by Mr. King & Mr. Ingersoll for the Defendants

The Court adjourned till tomorrow morning 11 o'Clock.

Friday March 3d 1815

The Court met according to adjournment

Present The Hon'ble John Marshall — Chief Justice
Bushrode Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story

30 Hogsheads of Sugar } This cause was argued by Mr Hopkinson for the Plaintiff and by Mr Pinkney for the
&c. &c. Boyle & others } Defendants

The Judge of the District }
of } This cause was argued by Mr Pinkney and Mr Chevallier for the Plaintiff
The United States } and Mr Ingersoll & Mr Jones for the Defendants

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Saturday March 4th 1815

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrode Washington
William Johnson
Brockholst Livingston } Associate Justices.
Joseph Story

Joshua Wamsley &c } This cause was argued by Mr Pinkney for
vs } the Plaintiff and by Mr Pinkney and Mr
The Mayor &c of Georgetown } Jones for the Defendants

The Ships Eagle and Hope } This cause was argued by Mr Chevallier
vs } and Mr Key for the Plaintiff and by Mr
The United States } Rodney and Mr Jones for the Defendants

The Court adjourned till Thursday morning 11 o'Clock

Monday March 6th 1815

The Court met according to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story

Associate Justices

The Ships Neredia &c } This Cause was argued by Mr Hoffman for the
&c &c &c } Plaintiff and by Mr Dallas for the Defendants

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday March 7th 1815

The Court met according to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story

Associate Justices

The Ships Neredia Cargo } This cause was further argued by Mr Dallas
&c &c &c } for the Defendants

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday March 8th 1815

The Court met Pursuant to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story

Associate Justices

The Ships Hercules Borgs & } This cause was further argued by
& the Schooner Two Sisters } the Attorney for the Defendants
by the Counsel for the Plaintiffs —

The Court adjourned till tomorrow morning 11 Oclock

Thursday March 9th 1815.

The Court met according to adjournment —

Present —

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story
} Associate Justices —

The Ships Hercules and Borgs & } This cause was further argued by
& the Schooner Two Sisters } the Counsel for the Defendants

The Ship Hercules — the } Mr Key commenced the opening
Schooner Jane — } in this case — — — — —

The Court adjourned till tomorrow morning 11 Oclock

Friday March 10th 1815.

The Court met according to adjournment —

Present —

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

The Ships Hercules and Borgs & } The cause was argued by Mr Key
The Schooner Jane — } and Mr Pinkney for the Plaintiffs
and by Mr Charles and Mr Winder
for the Defendants — —

The Court adjourned till tomorrow morning 11 Oclock

Saturday March 11th 1815

The Court met according to adjournment

Present.

The Honble John Marshall Chief Justice
Bushrod Washington }
William Johnson — }
Brockholst Livingston } Assoc. Justices
Gabriel Duvall and. }
Joseph Story — }

The Ships St Nicola and Cargo } Ordered that both the Libellants and Claimants be allowed to
The Nancy Jack Claget Com — } make further proof in this case

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Judgment & Decree — February Term 1815.

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3 Stephen Kilcrease Exrs. & John W. Fitzhugh Admr. } Entered settled by order of the Court

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5 The Bristol Insurance Comp.y & George A. Cushing — } Entered compromised by direction of the Court —

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22 Robert and Jenny (Man) the Property of Joseph H. Saunderlin — } This cause came on to be heard on the Transcript of the Record and was argued by Counsels on consideration whereof, It is adjudged and ordered, that the J. Decree of the Circuit Court for the District of Columbia in the County aforesaid in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum, including interest. — & &

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39 William Thorpe, Appellant & Thorpe and Wife & Others Appellees } This cause came on to be heard on the Transcript of the Record and was argued by Counsels, on consideration whereof, It is adjudged and ordered, that the Judgment of the Circuit Court for the District of East Tennessee in this cause be, and the same is hereby affirmed with costs. & &

Charles Simms

Adam Eyesthone
John Quigg, Isabella
Ash the Widow & Others
and Samuel Hopkins

} This cause came on to be heard on the Transcript of the Record from the Circuit Court and was argued by Counsels on consideration whereof the Court are of opinion that there is error in the decree of the Circuit Court and final decrees of the said Court as directs Charles Simms to convey to the Plaintiffs in that Court the land included in the patent and the decree directed to be made by that Court of the share of the said Plaintiffs which decree ought to be made on a survey including the improvement of Mr. Hopkins spring which is designated in the plat by the black letter A in the center and that the said decree ought

to be reversed and annulled and the cause remanded to the Circuit Court with directions to cause the said plea in bar of the said Bill to be answered in a regular form with the liens to the Cardinal points and including the improvement originally made by the said John Bell deceased which is designated on the Plat filed in the said cause by figure 2 in the centre and with further directions to order the said Rhoda Bowen to convey to the Complainants in the Circuit Court respectively the land included in the platt and lying within the several sums as made in their Bill and as sustained by the evidence in the cause, all which is ordered and decreed accordingly

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Constant Taber surviving partner of Taber and Gardner

vs

Frederick Frost, and William Lee, late firm of Frost and Lee

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof this Court is of opinion that there is error in the judgment and proceedings of the Circuit Court of the United States for the District of Rhode Island in rejecting the testimony of John L. Boyle and in directing the Jury to find for the Defendants, because the said Samuel Bell was not a party plaintiff to the action for which error the said judgment is reversed and annulled and the cause is remanded to the said Circuit Court for a new trial and the cause is remanded to the said Circuit Court for a new trial

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The United States

vs

The Ship William

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof it is decreed and ordered, that the Sentence of the Circuit Court for the District of Georgia in this case be and the same is hereby affirmed

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Josiah M Speake

vs

The United States

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof it is ordered and adjudged that the judgment of the Circuit Court for the District of Columbia

in Lexington County in this case; & and the same is hereby affirmed with costs

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William H. McNeill
vs
George Taylor

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof

see the other leaf for the opinion

Samuel G. Arnold Joseph Austin & Richard Tonnes
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is adjudged and ordered that the Judgment of the Circuit Court of the United States for the District of Rhode Island in this case be and the same is hereby affirmed with damages at the rate of six per Centum per annum, including interest, on the amount of the Judgment of the said Circuit Court and costs.

The Pocasset Manufacturing Company
Elisha Hathaway Claimt
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is decreed and ordered that the decree of the Circuit Court of the United States for the District of Massachusetts in this case be and the same is hereby reversed and annulled. and it is further ordered that the said cause be remanded to the said Circuit Court with directions to dismiss the libel and to restore the said Pocasset Manufacturing Company to the Claimant

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The Boston Manufacturing Company
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is ordered and ordered that the decree of the Circuit Court for the District of Massachusetts in this case be and the same is hereby affirmed with costs.

Richards & Austin
vs
Theodore Lyon

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the Circuit Court for the District of Illinois in this case be and the same is hereby affirmed with costs.

29

David M Randolph

Edmund Randolph Esqr
Justice of the Court
and Hamilton

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof the Court is of opinion that the said Circuit Court erred in instructing the Jury and that on the evidence and facts stated in the plaintiff's bill exceptions set out in the record the said Court ought to have decreed for the defendant. It is therefore adjudged and ordered that the judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled, and it is further ordered that the said cause be remanded to the said Circuit Court with direction to dismiss the bill of complaint.

William Wallis Lessee

Joseph H. Woodruff
Executor Dobell and
Hobart Wife

This cause came on to be heard on the Transcript of the record of the Circuit Court of the United States for the District of West Tennessee and was argued by Counsel on consideration whereof it appears to this Court that there is error in the proceedings of the said Circuit Court in this, that the said Court rejected the testimony offered by the Plaintiff to prove that the grants on which the warrants mentioned in the said grant found to be issued were forged and counterfeited, were not made and that the warrants were forgeries; and also in rejecting the testimony offered by the Plaintiff to prove that the rights on which the said grant was founded did not exist at the time of the expiration of the Treaty in which the granted land lay, to the United States, wherefore it is considered by the Court that the said judgment be reversed and annulled and that the said cause be remanded to the said Circuit Court that a new trial may be had according to law.

The Ship Richmond
Jos Smithers Exr

The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is ordered and adjudged that the sentence of the District Court for the District of Georgia in this case, be, and the same is hereby affirmed with costs.

William M. Terrett &c
vs
George Taylor &c

This came coming on to be heard upon the transcript of the record filed in this court and the arguments of counsels, and the Court having maturely considered the same are of opinion that the plaintiff as executor of the Vestry of the Episcopal Church of Alexandria mentioned in the bill of complaint has a right to maintain this suit that the defendants the executors of the last will of George Taylor in the County of Loudoun and State of Virginia have a good legal remedy both at the common law and in this Court of Equity as mentioned in the bill and ought to be perpetually enjoined from claiming the said lands and that the sale of the same ought to be decreed upon the assent of the executors of the said Church in the event of any there be, and this Court is also of opinion that the said James Brown the surviving trustee ought to convey the said land and premises to gether with all the rights hereditaments and profits which he hath or holds in and to the said premises to the church wardens of the said parish in the bill mentioned for the time being and to their successors, and that that the said Church wardens or their successors with the assent of the said Minister ought to convey the said premises to the purchaser or purchasers, and that the said Church wardens ought upon receiving the purchase money under the sale herein before directed to be made of the said premises to the Vestry of the said Church for the time being to lay the said purchase money applied to the use and benefit of the said Church in such manner as the said Vestry shall deem most proper.

This Court doth therefore decree order and adjudge that the decree of the Circuit Court pronounced in this cause be affirmed except in that part of it which directs the church wardens to bring the purchase money into Court to be applied by the Court in such manner as the Court shall direct and also so much of the said decree as directs the said James Brown the said surviving trustee to convey upon said being made of the said land to the purchaser of the same and in lieu thereof this Court doth decree and adjudge that the said Church wardens or their successors which may shall make the said decree sale to pay the purchase money to the Vestry for the time being of the said Church to be applied by them to the use and benefit of the said Church in the [illegible] to such purposes as the said Vestry shall direct

by an order to be entered upon the premises of these proceedings and the Court doth further decree order and adjudge that the said James Brown the surviving trustee in the Bill mentioned a his heirs do upon the application of the Vestry of the said Church made to him in writing make execute acknowledge and deliver in due form of law a good and sufficient deed in law conveying and releasing to the Church wardens for the time being of the said Church there successors and assigns all the right title and estate which he the said James Brown or his heirs shall or may have in and to the said land and premises in the bill mentioned. And this Court further proceeding the said decree of the said Circuit Court doth decree order and adjudge that the said Church wardens for the time being before they proceed to make the said sale directed by the decree of the Circuit Court and of this Court do obtain the written assent of the members of the said Church (if one there be) duly executed under his hand and seal in the presence of at least three witnesses, which assent of the said members executed in the manner before mentioned is to be filed among the papers in this suit in the Circuit Court and there recorded with the proceedings in this suit. and it is further decreed and ordered that this cause be remanded to the Circuit Court for Alexandria County for a final decree by that Court upon the sale and report of the said Church Wardens being made to the said Circuit Court.

The Brig Despatch and Cargo
& Coolidge Potts Claimants
vs
Stephen Clark & others
Privateer Instigator

By order of the Court the
Appeal in the case is
dismissed.

The Cargo of the St Lawrence
Penniman & the Cargo Claimts.
vs
John Nisbet and others
Privateers Americus

This cause came on to be heard on the Transcript of the Record and affidavits filed in this Court on consideration whereof it is decreed & ordered that the sentence of the Circuit Court for the District of [illegible] condemning the property claimed by Penniman and the Cargo in this case be and

the same is hereby affirmed with Costs.

feb: 25

David Henderson & others appellants Against Daniel Weeks

David Williamson and others Trustees of the Ist Div. Bragander.

This cause came on to be heard on the Transcript of the Record and of the Decree of the Circuit Court for the District of Rhode Island and was argued by Counsel on consideration whereof this Court is of opinion that the said Circuit Court erred in admitting as evidence the Exhibit in the Bill alledged to be an Indenture of assignment from Wm. Bragander &c to the complainants without further proof of its authenticity. It is therefore decreed and ordered that the Decree of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and the said cause is remanded to the said Circuit Court for further proceedings to be had therein.

The Cargo of the Brig Amory Manning & others Claimants

Archibald Taylor and others Libellants & Appellees

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Rhode Island, and the further proof filed in the order of this Court, all which being seen and considered, It is decreed and ordered, that the Sentence of the said Circuit Court condemning the Cargo of the Brig be and the same is hereby reversed and annulled, and the cause is remanded to the said Circuit Court with directions to decree the Libel to be dismissed unless the Cargo can be restored to the Claimants, and to allow the Captors their reasonable costs & charges

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Thomas Lewis and others Libellants & Appellees

John McFarland, William Farmer, George Libby, Isaac Howard, Wm. McFarland, Robert Fulton and Jonathan Farmer

This cause came on to be heard on the Transcript of the Record and was argued by Counsel which being seen and considered this Court is of opinion that there is error in the judgment of the Circuit Court for the District of Kentucky in this that the will of John Clary was not permitted to go in evidence to the Jury. It is therefore ordered

by this Court that the said judgment of the said Circuit Court be reversed and annulled, and that the cause be remanded to the said Circuit Court with instructions to award a new trial, and to permit the said last will and testament of the said John Avery dec^{d} with the Certificates thereunto annexed to be given in evidence to the Jury.

The Ship Commerce &c. Nathaniel Hall Claimant &c. vs. The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Massachusetts and was argued by Counsel on consideration whereof, It is decreed and ordered, that the sentence of the said Circuit Court in this cause be and the same is hereby reversed and annulled; and it is further ordered that the said cause be remanded to the said Circuit Court with directions to dismiss the libel, and to restore the said Ship Commerce to the Claimant.

52

River Maine and Ephraim Skowen Owners of 1/4 of Clark &c. vs. William Vincent Robertson and Ham Weinsdyke.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Rhode Island and was argued by Counsel which being considered the Court is of opinion that John Innis Clark in his life time and Innis Lewis Clarke the owners of the Ship Pelleston were justly liable for the bill of Exchange in the Complainants bill mentioned to the same extent as if the said bill had been drawn by them, and that the Estate of the said John Innis Clark in the hands of the executors is equally chargeable with the said debt as far as the said John Innis Clarke in his life time was chargeable therewith. The Court is therefore of opinion that there is no error in the sentence of the said decree of the Circuit Court for the District of Rhode Island as against the Respondents, the executors of the said John Innis Clark dec^{d} to pay to the complainant the amount of the said bill with interest thereon from the time when the same became payable

to the day on which the said Decree was made, and the same is
so much thereof as appeared that this Court is further of opinion
that the Defendants ought not to have been ordered to pay Damages
on the said Bill without proof that by the Laws of the State
the same were demandable. Damages were made payable in which cases
the persons bound to pay the said Bill are liable in a Court of Equity
as well as in a Court of Law to pay such damages. This Court is
also of opinion that so much of the said decree as dismisses the
Bill of the Complainants as to Forest Wanton and Edward Wanton
the surviving partners of Benona Sisson and Benona Sisson Jr. deceased and
that a decree ought to be here rendered against them therefore it is
the opinion of this Court that so much of the said Decree of
the Circuit Court for the District of Rhode Island made in this cause
as directs the appellants to pay to the complainants in that Court
damages at the rate of ten per centum on the amount thereof with
interest thereon and so much of the said decree as dismisses the Bill of
the complainants as to James Wanton and Edward Wanton the surviving
partners of Benona Sisson and Benona Sisson deceased ought to be reversed
and the same is reversed accordingly and this Court doth further
order and decree that the said cause be remanded to the said Circuit
Court for the District of Rhode Island with directions to receive proof
of the loss of the vessel respecting protested Bills of exchange drawn
from the decree to the opinion and to render the same against the
surviving partners or partners of the late commercial house of Benona
Sisson & Benona as well as against the appellants all Costs in the
said decree accordingly

John Hendley
&
The Distillers
Company Plaintiffs
Henry Clay

This cause came on to be heard on the Transcript
of the Record of the Circuit Court for the
District of Kentucky and was argued by counsel
on consideration whereof It is decreed & ordered
that the Decree of the said Circuit Court in
this cause be and the same is hereby reversed and annulled, and that
the said cause be remanded to the said Circuit Court with direc-
tions that the Defendant be directed to account to the Complainants
touching the Sales complained of in the Bill of Complaint
by the Survey made in this cause to be within the bounds of the
Grant made to the Complainants

John McEwen Jones Defendant

vs.

John Gratton and Barnabas Safford

This cause came on to be heard on the transcript of the Record and was argued by Counsel on consideration whereof It is the opinion of this Court that there is error in the opinions of the Circuit Court for the District of East Tennessee in this, that the said Court instructed the Jury that the grant under which the plaintiff claimed could not be legally run so as to include more than 640 Acres of land, whereas the said grant should be so run so as to include the same and conform as nearly as may be to the lines and courses of the said grant. Therefore it is considered by this Court that the said judgment be reversed and annulled, and the cause be remanded to the said Circuit Court, that a new trial may be had according to law.

Owen Owens

vs.

William Hannah.

This cause came on to be heard on the transcript of the Record and was argued by Counsel on consideration whereof, It is adjudged and ordered that the judgment of the Circuit Court for the District of Georgia in this case be and the same is hereby affirmed with costs.

The United States

vs

Two Boxes of Merchandize &c

Part of the Cargo of the Ship Fanny

The Circuit Court &c

This cause came on to be heard on the transcript of the record of the Circuit Court for the District of Louisiana & the affidavits filed in the cause, and was argued by Counsel on consideration whereof. It is ordered and adjudged that the sentence of the said Circuit Court in this case be and the same is hereby affirmed.

The United States

vs

Twelve Boxes of Merchandize &c Ship Fanny. &c

Unchincloss, Claimants

Same Decree as above.

The United States

No. 81 The Brig Commerce &c. } Same counsel as the preceding.
Ship Tammy David.
Dunham Claimants

Part of the Cargo of the Ship Francis } This cause came on to be heard
Dunham and Randolph Claimants } on the Transcript of the record
} and was argued by counsel on
No. 25 Oliver Wilson and others } consideration whereof it is de-
Privateer Nyaderer. } creed and ordered that the
judgment of the Circuit Court for the District of Rhode Island
in this case be and the same is hereby affirmed with costs

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30 Hogsheads of Sugar &c. } Same minute
Thomas Boyle and others
The Cargo of the Society.

Thirty Hogsheads of Sugar } This cause came on to be heard on the
Abram B. Benson Claim't } Transcript of the record and was
No. 77 Thomas Boyle and others } argued by Counsel, on consideration
whereof it is decreed & ordered that
the Sentence of the Circuit Court for the District of Maryland
in this case be and the same is hereby affirmed with costs

Oliver Evans } upon the question in this cause on which the Judges
No. 2 John Jordan and } of the Circuit Court of the United States for
John Anderson } the District of Virginia were opposed in opinion;
It is the unanimous opinion of this Court, that
the act passed in January 1808 entitled "An act for the relief of
Oliver Evans" ought not to be so construed as to exempt from
other double or single damages the use & enjoyment of the
of the said act, of the machinery therein mentioned, which was
erected subsequent to the institution of the original process
previous to the passage of the said act, which opinion is ordered
to be certified to the Circuit Court for the District of Virginia

The Ship Hazard and Cargo
& Joshua Claimant

The United States

This cause came on to be heard on the Transcript of the record and was argued by Counsel, on consideration whereof, It is decreed and ordered that the sentence of the Circuit Court for the District of Georgia in this case be and the same is hereby affirmed with costs

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The Cargo of the Ship Society
William Little Claimant

The United States

This cause came on to be heard on the Transcript of the record and was argued by Counsel, on consideration whereof, It is decreed and ordered that the sentence of the Circuit Court for the District of Georgia in this case be and the same is hereby affirmed with costs

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Martinus Masterson

The Cargo of the Ship Society

Same Decree

In this case the officers of the Natchez cutter and Endeavour armed vessels of the United States affirmed a petition to the Court to be permitted to claim for themselves and their crews a share of the forfeiture in the case of the Society alledging that they are entitled equally with the officers and crew of the Gunboat by whom the said Cargo was libelled; which petition was rejected, and the claim was not received, it being the opinion of this Court that the claim of the petitioners must be made in the Court below to which the cause is remanded, costs of both parties

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The King Brion
Peter Lamotte Claimant

The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is decreed and ordered that the sentence of the Circuit Court for the District of Georgia in this case be and the same is hereby affirmed with costs.

The United States
vs
Alexander Fisher
Nicholas Fish and
Jonathan Solomon

upon the questions in this cause; on which the Judges of the Circuit Court of the United States for the District of Massachusetts were opposed in opinion.

1st Let it be the opinion of this Court on the first question stated for the opinion of this Court, that judgment ought to be given for the Defendants as to the sum of $3762.90, being the damages assessed upon the first breach of the condition of the bond of arrests in the application contained in the said record

2nd On the second question stated for the opinion of this Court that judgment ought to be given for the Defendants as to the sum of $10,000 in the first case assessed as conditional damages upon the second breach

3rd On the third question stated for the opinion of this Court that judgment ought to be given for the Defendants as to the sum of $374.77 being the second sum assessed as conditional damages upon the second breach

4th On the fourth question stated for the opinion of the Court that judgment ought to be given for the Defendants as to the sum of $3749.89 being the third sum assessed as conditional damages upon the second breach

5th On the fifth question stated for the opinion of this Court, that judgment ought to be given for the Defendants as to the sum of $10,000.00 being the fourth sum assessed as conditional damages upon the second breach

6th On the sixth question stated for the opinion of this Court, that judgment ought to be given for the Defendants as to the sum of $10,000.00 being the fifth sum assessed as conditional damages upon the second breach

7th On the seventh question stated for the opinion of this Court, that judgment ought to be given for the Defendants as to the sum of $6,000.00 being the sixth sum assessed as conditional damages upon the second breach

and On the eighth question stated for the opinion of this Court that judgment ought to be given for the Defendants as to the sum of $4,479.60 being the seventh and last sum assessed

9th On the ninth question stated for the opinion of this Court that judgment ought to be given for the Defendants as to the sum of $ being the damages assessed upon the fourth breach, and

10th On the tenth question stated for the opinion of this Court, that judgment ought to be given for the Defendants as to the sum of $339.07 being the damages assessed upon the fifth breach all which is ordered to be certified to the said Circuit Court

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Joshua Barney and others
Libellants Respts
vs.
15 Casks of Merchandize &c
James Kirby Claimant

This cause came on to be heard on the transcript of the records of the Circuit Court for the District of Connecticut and was argued by Counsel on consideration whereof it is decreed and ordered that the sentence of the said Circuit Court for the District of Connecticut in this cause be and the same is hereby reversed and annulled and it is further ordered that the said cause be remanded to the said Circuit Court with directions to condemn the said fifteen casks of Merchandize claimed by the said James Kirby as prize of war to the Captors

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The United States
vs
Schr Lucy Ann &c

The questions in this cause on which the Judges of the Circuit Court for the second Circuit of the United States for the District of Connecticut were divided and which was ordered to be stated for the opinion of this Court came on to be heard on the certificate from that Court, stating the said question and was argued by Counsel on all which being duly considered that the Schooner and her provisions ammunitions of war within the true intent and meaning of the act entitled "an act to prohibit American vessels from proceeding to sea trading with the ports of the United States and for other purposes" also stated & ordered to be certified to the said Circuit Court

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The United States
vs
Four casks of Merchandize &c
part of the Cargo of the Brig
Jane Capt Sylvester Edwards

This cause coming on to be heard on the transcript of the record and was argued by Counsel on consideration whereof it is ordered and decreed that the sentence of the Circuit Court for the District of

The Ann Arbor Bridge Co. } This cause came on to be heard on the Transcript
Town Bridge Board } of the record and was argued by Counsel, on
consideration whereof, It is Decreed and ordered,
The Collector } that the [illegible] of the
Circuit Court for the District of Orleans in this case be and the same is hereby
affirmed with costs ...

John Johnson Keith } This cause came on to be heard on the Transcript of
53 } the Record, and was argued by Counsel, on consid
The Ship Cyclone } eration whereof, It is Ordered, that the
Decree of the Circuit Court for the District of Pennsylvania affirm
the Decree of the District Court of said District condemning the Ship
Cyclone and appurtenances to the Claimer Mates, be and the same is here
by reversed, and annulled; and this Court proceeding to give such
Decree as the said Circuit Court ought to have given. It is further
Ordered and adjudged that the said Ship Cyclone was upon hovering
be condemned as Lawful prize, to the Captors. ...

The Ship Cyclone }
Thos. Mcaffe Claimt } Same Decree
56 }
The United States. }

The Town of Newbury }
vs. } Upon the question in this case stated, "whether
Daniel Chase } the Plaintiffs must be nonsuited upon the case
Silas Adams } stated? upon which question the opinion of
Abraham Bowman } the Judges of the Circuit Court for the District
of Vermont were opposed, It is the opinion of this Court, that upon
the case stated, the Plaintiffs ought to recover, all which is ordered
to be certified to the said Circuit Court ...

William Cox } This cause came on to be heard on the Transcript
71 } of the Record of the Supreme Judicial Court of the
Thomas Walters } Commonwealth of Massachusetts and was argued by
Counsel, on consideration whereof, It is the opinion
of this Court that the said Supreme Judicial Court of Massachus-

erred in giving the charge to the Jury in the proceedings mentioned: It is therefore adjudged and ordered, that the judgment of the said Circuit Court of Confiscation in this cause be and the same is hereby reversed and annulled: and It is further ordered, that the said cause be remanded to the said Supreme Judicial Court of Massachusetts with directions to award a venire facias de novo.

John M. Pascaux and others Owners of the Letter of Marque Ship Expedition

vs.

The Schooner Polly and Cargo

and

The Schooner Polly and Cargo

John M. Pascaux and others Owners of the Expedition

This cause came on to be heard on the Transcript of the Record from the Circuit Court for the District of New York and was argued by Counsel, on consideration whereof it is the opinion of this Court that the property and claim in the Libel by and on behalf of the Owners, of the William Lawrence & William Hallett alias of Isaac Lewis jointly and of Benjamin Brewne and William Hallett, of Peter & Matthew of William Weyland, Herman Le Roy, James the Lewis, and Isaac Taylor of William Heed of Thomas Lee & Earl of John Coburg of Major John & Stephen of Edward Small, James Heed and Samuel & Isaac of Jacob Hendrickson of Isaac Hedrick of Isaac Label of Benjamin Field Lieutenant Richard Dugald Taylor and Gustavus Isaac and of Richard Bassett the owners or proprietors of the Sloop of war called the Polly Claim to be restored to the Claimants as Libel of Peter Blaine Esqr. of Philadelphia Merchant for the Benefit of Captain Sebastian and Isaac Pasteur of the Province to be condemned to the Captors

And the Counsel for the said Claimants moved for further proof to be taken in the Court below touching the property claimed, that it be condemned as good and lawful prize to the captors. It is therefore decreed and ordered, that the sentence of the said Circuit Court so far and conform to the opinion of this Court be and the same is hereby affirmed and that so far as it is inconsistent with the opinion of this Court that it be reversed and annulled, and

it is further ordered that the said cause; except as to those claims on which further proof is ordered, be remanded to said Circuit Court for further proceedings to be had therein. Mar: 15th

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The Ship St Nicholas and Cargo }
vs. } for mutiny
Henry Cook }

Henry Gittings }
vs. } This cause came on to be heard on the Transcript of
Jane Burch } the Records of the proceedings of the Orphans Court
for the County of Washington and of the Circuit
Court for the said County, and was argued by Counsel, on consid-
eration whereof It is the Opinion of this Court that the Decree of
the Orphans Court in the County of Washington ordering the said
Henry Gittings to deliver to the said Jane Burch as admin-
istratrix of Jesse Burch dec'd the Slaves in the said Decree named
when the petitioner should by replication denied the answer of
the defendant on which the Writ of Error in the said Slaves in the
Decree of the said Orphans Court, and without assuming
any evidence that the said Slaves were not sold as that they
remain still in the Estate of the said defendant is reversed, and
that the Decree of the Circuit Court affirming the same is also
reversed, and that the said decree of affirmance ought to be
reversed and annulled and the cause remanded to the said
Circuit Court with directions to reverse the said Decree of the
said Orphans Court, and to remand the cause to the said
Court that further proceedings may be had therein according
to Law & right which is ordered and decreed accordingly

Part of the Cargo of the Ship Diana }
vs. } this cause came on to be heard &
John Graham Master } consideration whereof It is ordered
Thos Griffin and others } adjudged, that the decree of the District
Court for the District of Rhode Island
in this case be and the same is hereby affirmed with costs.

Proof of the Cargo of the Ship Francis

Pole Graham Claimants

vs

Elam Wilson and others

This cause came on to be heard on the consideration whereof it is decreed and ordered, that the sentence of the Circuit Court for the District of Rhode Island in this case be and the same is hereby affirmed with costs.

The United States

vs

James Henderson & Wm Broadrock Garnishees of Wade Hendrickson

This cause came on to be heard on the consideration whereof it is ordered and adjudged that the Judgment of the Circuit Court for the District of Connecticut in this case be and the same is hereby affirmed.

103

George Charleton and others (Privateers Marengo)

vs

20 Pipes of Wine. 10 Trig Concord. Jas Scott Claimt

This cause came on to be heard on the Transcript of the records of the Circuit Court for the District of New York and was argued by Counsels, on consideration whereof, It is the opinion of this Court, that the proceedings, sentence of the [illegible] is erroneous & ought to be reversed, but that the said Circuit Court ought on ordering the proceeds to the Claimants, withheld payment of the duties. It is therefore decreed and ordered, that the sentence of the said Circuit Court be reversed and that the cause be remanded to the said Circuit Court, with directions to decree a restitution of the proceeds of the said Cargo [illegible] to the claimants upon the payment of the duties thereon.

The Ship Sarah and Cargo Samuel Pole Claimant

vs

The Schooner Sally and others

Libellants

This cause came on to be heard on the Transcript of the Records of the Circuit Court for the District of [illegible], and was argued by Counsels, on consideration whereof, It is Decreed and ordered, that the Sentence and decree of the said Circuit Court, condemning the Schooner Sally and her Cargo as prize of war be reversed & annulled so far as respects the claim of Samuel Pole for himself and his partners, and for the other Claimants from whom the Libellants have received bonds & stipulations for the value of the property condemned, and it is further ordered, that the said cause be remanded to the said Circuit Court for

the District of New York, with directions to dismiss the libel, as to the property claimed by the said Emanuel Pinto for himself and his partners and for the other Spaniards for whom he claimed, and that the said property be restored to the Claimant

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Henry Batt Thomas Tunnicliffe, John Griffith Junr. John Ingleby and Saml. Hatton Complainants

This cause came on to be heard on the Transcript of the Records of the Circuit Court for the District of Delaware & was argued by Counsel. Whereupon it is ordered adjudged and decreed that the Decree of the Circuit Court for the District of Delaware in this case be reversed & annulled and this Court decree that the Complainants shall be permitted to redeem the mortgaged premises in the Answer of Thomas Tunnicliffe & Co. mentioned; upon paying and satisfying to the said Thomas Tunnicliffe & Co. the sum of five pence pennsylvania currency for every square foot for the actual difference between the number of square feet conveyed to the said Co. and the number of two million four hundred thousand square feet which Thomas Fletcher and Stephen Paschall were bound to convey, deducting from the number of square feet said to have been conveyed to them with Interest on the sums to be liquidated, calculated from the first day of January one thousand seven hundred and seventy seven at six per centum. And it is further Decreed that towards paying and satisfying the sums to be ascertained the said Tunnicliffe & Company shall pay and contribute a sum proportionable to the rate which the squares purchased by them bear to the residue of the premises mortgaged to them in quantity of square feet with interest thereon from the first day of January in the year one thousand seven hundred and seventy seven. That on payment of the said sums the said Thomas Fletcher shall reconvey to the complainants all those squares or those mortgaged premises which were not sold as aforesaid and to the said William Tunnicliffe & Co. those squares which the said William Tunnicliffe & Co. claimed and purchased as in the Bill and Answer set forth and the Court further decree, that if the said Tunnicliffe & Co. shall not in six months after the liquidations of the sums to be paid by him and interest thereof with Interest thereon as aforesaid, pay and satisfy to the said Complainants the sums so liquidated, then the said squares so purchased by him shall be sold under Order of the said Circuit Court to pay and satisfy that sum and that the cause be remanded to the said Circuit Court for further proceedings necessary to carry into effect this Decree

Henry Pratt & Thomas & Francis
Asbury Executors &c. of Ashbury
and Sarah Baker

vs.

Thomas Law.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel. Whereupon it is ordered, adjudged and decreed, that the decree of the Circuit Court be reversed and annulled and this Court decrees that the said mortgaged premises whereof the said Thomas Law prays foreclosure shall be sold under order of the Circuit Court for the District of Columbia in the County of Washington to pay and satisfy to the said Thomas Law so much of the sum adjudged to the said Law in the case of these defendants against the said Law and Campbell therein at this Term as will be proportionable to the value which the said portion of the said premises bears to that proportion of the said premises to which the said Law executed conveyance in favour of Campbell as in the bill mentioned, unless the said Complainants shall in six months after liquidation of the said sum and notice thereof pay and satisfy to the said Law so much of the said sum as is in this decree ordered to be raised, upon payment of which sum the said Law release to the said Complainants his interest in the said premises. It is further ordered that this cause be remanded to the Circuit Court of the County of Washington, for further proceedings to carry into effect this decree.

Henry Cook, Thomas B. Prentiss &
John Miller Junr. John Utley
and Daniel Kilbourn

65

15

William Campbell

This cause coming on to be heard on the Transcript of the Records of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel, Whereupon it is ordered, adjudged and Decreed, that the Decree of the Circuit Court be reversed and annulled, and this Court Doth Decree that the said William Campbell shall pay and satisfy to John Miller Junr assignee of James Greenleaf so much of the two thirds of the sums found by Commissioners to be due on the Mortgage secured by the Deed of Conveyance as will be proportionate to the ratio which the squares bought by Campbell subject to the Mortgage to Duncanson bear to the whole eighteen squares mortgaged to Duncansons then the said Campbell shall hold the said squares so purchased by him free and discharged of the said Mortgage, and the said Duncansons and the complainants shall thereupon convey and assign to the said Campbell all their right & interest in the said Squares so purchased by him. And it is further ordered and Decreed, that if the said Campbell shall not within six months next after the Ingrossation of the sum to be paid by him and order thereof pay and satisfy the said sum to the said Miller then the said squares so purchased by him shall be sold under order of the Circuit Court, and the proceeds thereof applied to the payment thereof, having regard nevertheless to any others existing prior liens upon the said squares, and this Cause is remanded to the Circuit Court for further proceedings to carry into effect this Decree

At a Supreme Court of the United States begun and holden at the City of Washington on the first Monday being the fifth day of February in the year of Our Lord one thousand eight hundred & sixteen

Present

The Honble John Marshall Chief Justice
" Bushrod Washington
" William Johnson
" Brockholst Livingston } Associate Justices
" Thomas Todd.
" Gabriel Duvall and
" Joseph Story

The Court adjourned till tomorrow morning 11 oClock

Thursday February 6th 1816

The Court met according to adjournment

Present

The Honble John Marshall Chief Justice
" Bushrod Washington
" William Johnson
" Brockholst Livingston } Associate Justices
" Thomas Todd.
" Gabriel Duvall and
" Joseph Story

The King Samuel and Cargo } This cause was argued by Mr. Daggett for
Claimants } the Plaintiffs and by the Attorney General
} for the Defendant

The United States } for the Defendant

The Court adjourned till tomorrow morning 11 oClock

Wednesday February 7th 1816

The Court met according to adjournment

Present

The Honble John Marshall Chief Justice
" Bushrod Washington
" William Johnson
" Brockholst Livingston } Associate Justices
" Thomas Todd.
" Gabriel Duvall

The Ships Celavia
& Cargo Claimants Appellants
vs
The United States

This cause was argued by Mr Dexter for the Claimants and by the Attorney General and Mr Law for the Defendants.

The Court adjourned till tomorrow morning 11 o'Clock

Thursday February 8th 1816.

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Ships Alerta de Guadiana
John Cumming Claimant
vs
The United States

This cause was argued by Mr Wirt for the Claimant and by the Attorney General for Defendant

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Negroes John Davis and other
Claimants
vs
Negelinah Wood.

This cause was argued by Mr Ellis for the Appellants and by Mr Key for the Defendant.

Negro Sally
Claimant
vs
Henry Le Baile

This cause was argued by Mr Key for Williams and by Mr [illegible] for the Defendant

The Court adjourned till tomorrow morning 11 o'Clock.

Friday February 9th 1816.

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Schooner Ringen and her Cargo } this cause was argued by the Attorney
John Watkins Claimants } Genl of the Pinkney for the Plaintiffs
The United States } and by Mr Hamilton for the Claimants
The Court adjourned till to morrow morning 11 o'Clock

Saturday February 10th 1816.
The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Thomas Todd
Gabriel Duvall
Joseph Story

The Schooner Ringen & Cargo } this cause was further argued by
J Hutchings Claimt } Mr Pinkney for Plff's and by
The United States } Mr Hamilton for Claimant

The United States } this cause was argued by the Attorney
The Brig William Gray } General for the Plaintiffs no counsel
George Crosby Claimt } appearing for the Claimant

The Private armed } this cause was argued by Mr Duffour
Schooner Chs Lafoon & the } and Mr Pinkney for the Captors and by
Merchandize &c &c } Mr Dexter for the Claimants
Claimants

The Court adjourned till Monday Morning 11 o'Clock.

Monday February 12th 1816
The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Thomas Todd
Gabriel Duvall and

21 Bales of Merchandize &c
John Richardson Claimt.

The Private armed Schooner
Charles Tolmon and Als

This cause was argued by Mr. Hopkinson and Mr. Key for the Claimant and by Mr. Hoffman & Mr. Pinkney for the Defendants

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The United States
vs
191 Hhds Sugar. &c
Brig Wamblee

The Atty Genl commenced opening this cause.

The Court adjourned till tomorrow morning 11 o'clock

Tuesday February 18th 1817

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The United States
vs
191 Hhds of Sugar &c
Brig Wamblee

This cause was further argued by the Attorney Genl and Mr. Pinkney for the Pltff and by Mr. Hoffman for the Defendants

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Thomas Fairfax
vs
Charles F. Hallet & wife

Mr. Swann suggested to the Court the existence of a deed from Th. Fairfax to John Muse dated 9th April 1793, and of the warrant designated by letter B in the Commissioners report made in this cause and a motion for a Certiorari by Mr. Taylor of Counsel for Pltff and Certiorari ordered.

The Court adjourned till tomorrow morning 11 Oclock.

The Court met according to adjournment

Present

Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story

} Associate Justices

The United States
vs
Ezra Odell & Benjamin Odell
Eric Hamilton

This cause was further argued by Mr Pinkney

Richard Wallace Esqr

John Browder

This cause was argued by Mr Key for the Plff and by Mr Jones for the Defendant

The Court adjourned till tomorrow morning 11 Oclock

Thursday February 13th 1816

The Court met according to adjournment

Present The Honble John Marshall Chief Justice

Bushrod Washington
[illegible]
Brockholst Livingston
Thomas Todd
Gabriel [illegible]
Joseph Story

} Associate Justices

William Hepburn & others
John Dunlop & others

This cause was argued by Mr Key for the Plaintiffs and by Mr [illegible] for the [illegible]

The Court adjourned till tomorrow morning 11 Oclock

[illegible]

The Court met [illegible]

[illegible] The Honble John Marshall Chief Justice

Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
[illegible]
Joseph Story

} Associate Justices

William Stephens & others } This cause was further argued by Mr.
vs. } Lee and Mr Jones for the Defendants
John Dunlop & Co. }

The King Samuels and Cargo }
John Dixon & Jon Russell Claimants } The cause ordered over with for
vs. } further proof, which both parties are
The United States } at liberty to produce

The Court adjourned till tomorrow morning 11 oClock.

Saturday February 17th 1816.

The Court met according to adjournment—

Present. The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Thomas Todd
Gabriel Duvall &
Joseph Story

William Stephens & others } This cause was further argued by Mr Jones
John Dunlop & Company } for the Defendants and by Mr Swann for
the Plaintiffs

The Court met according to adjournment—

Monday February 19th 1816

The Court met according to adjournment—

Present— The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Thomas Todd
Joseph Story

James & Thomas Chamberlain & others } This cause was argued by Mr Jones for the
vs. } Plaintiffs and by Mr Key and Mr Swann for the Defs
Thomas Haldane & others }

The Court adjourned till to-morrow morning 11 oClock

Tuesday February 20th 1816.

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
} Associate Justices

March 1st & 2d } This cause was argued by Mr Dexter for
The Plaintiffs Executors } the Plaintiff and by Mr Hopkinson for
the Defendants.

The Court adjourned till tomorrow morning 11 o'Clock.

Wednesday February 21st 1816.

The Court met according to adjournment.

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

Thomas Gelston } This cause was argued by Mr Hopkinson
Gelston & Hoyt &c } for the Plaintiff and by Mr Dexter for
the Defendants

The Court adjourned till tomorrow morning 11 o'Clock

Thursday February 22d 1816

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
} Associate Justices

James Anderson
vs
Williams Todd & Ux

This cause was further argued by Mr. Talbot for the Defendant

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Jonah Thompson
vs
Robert Greig

This cause was argued by Mr. Jones for the Plaintiff & by Mr. Swann for the Defendant.

The Court adjourned till to morrow morning 11 oClock

Friday February 23d 1816.

The Court met according to adjournment.

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

Robert Anderson
vs
John Langdon & Ux

This cause was argued by Mr. Swann for the Plaintiff & Mr. Lee for the Defendant & Judgt affirmed.

Thomas Todd & Ux
vs
Fred.k Evans Dec.d

This cause was argued by Mr. Lee for the Plaintiff and by Mr. Swann for the Defendant

The Court adjourned till to morrow morning 11 oClock

Saturday February 24th 1816

The Court met according to adjournment.

Present. The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
} Associate Justices

William Clark & Wife } This cause was further argued
Richard Lawrence & } by Mr. Jones for the Plaintiffs

The Corporation of New Orleans } This cause was argued by Mr.
} Winder & Mr. Morgan for the
Gabriel Water & Others } Plaintiffs & by Mr. Key for the Defr.

The Court adjourned till Monday morning 11 Oclock

Monday February 26th 1816.

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
[illegible] Johnson
Brockholst Livingston } Associate Justices
Thomas Todd
Gabriel Duvall
Joseph Story

Hoss and Hammond } This Cause was argued by Mr. Jones for the
Andrew Reid & Others } Plaintiffs and by Mr. Winder for the Defts.

Isaac Wolfe & Others } This Cause was argued by Mr. Key for
} the Plaintiff & by Mr. Jones and
as } Mr. Thomas for the Defendant
Isaac Thomas }

The Court adjourned till tomorrow morning 11 Oclock

Tuesday February 27th 1816.

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
[illegible] Johnson
Brockholst Livingston
Thomas Todd } Associate Justices
Gabriel Duvall
Joseph Story

John Taylor
vs
Walton & Hendley

This cause was argued by Mr. Key for the Plaintiff and by Mr. Talbot and Mr. Harden for the Defendants —

The Court adjourned till to morrow morning 11 O'Clock

Wednesday February 20th 1806.

The Court met according to adjournment —

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson —
Brockholst Livingston
Thomas Todd —
Gabriel Duvall &
Joseph Story — } Associate Judges

The United States —
vs
The Marq^s de Casa Yrujo & Geo^e Hobbs Claimant —

This cause was argued by the Attorney General and Mr. Pinkney for the Dist^s and by Mr. Charlton for the Claimant

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The Marq^s de Casa Yrujo & Wm Hobbs Claimants
vs
The United States

This cause was argued by Mr. Charlton for the Claimant and by the Attorney General & Mr. Pinkney for the Dist^s —

The Court adjourned till to morrow morning 11 O'Clock.

Thursday February 21st 1806.

The Court met according to adjournment —

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson —
Brockholst Livingston
Thomas Todd —
Gabriel Duvall &
Joseph Story — } Associate Justices

John Mc Creery Executor of Wm Hodgdon
vs
Paul Jones & others

This cause was argued by Mr. Swift for the Plaintiff and by Mr. Jones and Mr. Pinkney for the Defendants —

[illegible] Barnes et al } This cause was argued by Mr Jones for the
[illegible] Loyd & others } Plaintiffs and by [illegible] for the Defts
The Court adjourned [illegible] to Monday

Friday 6th March 1818

The Court met according to adjournment

Present The Worshipful John Marshall Chief Justice
Bushrod Washington }
William Johnson }
Brockholst Livingston } Associate Justices
Thomas Todd }
Gabriel Duvall }
Joseph Story }

The Cargo of the Ship Neptune } This cause was argued by Mr Charlton
John Diamond Claimant } and Mr Pinkney for the Claimant and
vs } by the Attorney General for the Defts
The United States }

United Insurance Society } This cause was argued by Mr Swann for
vs } the Plff and by Mr [illegible] and Mr Key
John Wales &c } for the Defendants

The Court adjourned till tomorrow morning 11 oclock

Saturday March 7th 1818

The Court met according to adjournment

Present The Worshipful John Marshall Chief Justice
Bushrod Washington }
William Johnson }
Brockholst Livingston } Associate Justices
Gabriel Duvall }
Joseph Story }

The Cargo of the Ship Neptune }
&c Diamond Claimants } In this case orders for further
vs } proof to both parties
The United States }

Thomas Sheppard
vs
The United States Insurance Comp[y]

This cause was argued by Mr Pinkney for the Plaintiff and by Mr Sharpe for the defendants.

The Court adjourned till Monday morning 11 oClock

Monday March 6th 1815.

The Court met according to adjournment

Present The Hon[ble] Johnson Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Henry & Deborah Gelston
vs
The Schooner George Barge
United States Claimt

This Cause was argued by Mr Sullivan

The Court adjourned till tomorrow morning 11 oClock

Tuesday March 7th 1815.

The Court met according to adjournment

Present The Hon[ble] John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Ships Edward
Geo. Teste Claimt
vs
The United States

This Cause was argued by Mr Sharpe for the Claimt & by Mr Key for the Libellants.

The Court adjourned till tomorrow morning 11 oClock.

Wednesday March 6th 1816

The Court met according to adjournment.

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
Brockholst Livingston
Thomas Todd &
Joseph Story
} Associate Justices

Henry L Delaware &c.
vs.
The Delaware Lottery Co.
United States Claimts.
} This cause was further argued by the Attorney General for the Claimts. and by Mr. Dallas for the Plaintiffs

The Court adjourned till tomorrow morning 11 Oclock

Thursday March 7th 1816

The Court met according to adjournment.

Present. The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices.

The Ship San Jose Indiano
A. Lafitte Claimt.
Christian Snow and others
Privateers Spaniards
} The Court was argued by Mr. Meredith for the Claimt and by Mr. Dexter for the Defendants.

The Court adjourned till tomorrow morning 11 Oclock.

Friday 9th March 9th 1816.

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
Gabriel Duvall &
Thomas Todd & } Associate Justices
Joseph Story

William Baldwin & Others } This cause was argued by Mr Hardin
vs } for the Plaintiffs and by Mr Talbot
Archibald Yeates's Heirs } and Mr Hughes for the Defendants

Penman & M^c Pherson } This cause was argued by Mr Jones and
vs } Mr Key for the Plaintiffs and by
Horace Marshall } Mr Lee for the Defendants

James Wilcocks use of } This cause was argued by Mr Lee
Allen Bayne } for the Plaintiff and by Mr Swann
vs } for the Defendants
Brandewine & Jameson

The Court adjourned till tomorrow morning 11 o'Clock.

Saturday March 9th 1816.

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story } Associate Justices

William Brodnax & Others } This cause was argued by
vs } Mr Swinton for the Plff^s &
The United States } by the Attorney General for the Defts

The Court adjourned till tomorrow morning 11 o'Clock

Monday March 11th 1816

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
Associate Justices

William Malcomb & others
The United States

This cause was further argued by Mr. Pinkney for the Defendant and by Mr. Sharpes for the Plaintiffs

The Court adjourned till tomorrow morning 11 o'Clock

Tuesday March 12th 1816

The Court met according to adjournment

Present
The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
Associate Justices

William Malcomb & others
The United States

This cause was further argued by Mr. Sharpes for the Plaintiffs

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Philip Martin
David Hunter Lessee

This cause was further argued by Mr. Jones The Chief Justice did not sit in this case.

The Court adjourned till tomorrow morning 11 o'Clock

Wednesday March 15th 1815

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Philip Martin
David Hunter Lyon
} This cause was further argued by Mr. Tucker & Mr. Dexter for the Defend^t.

The Court adjourned till tomorrow morning 11 o'Clock.

Thursday March 16th 1815

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Philip Martin
David Hunter Lyon
} This cause was further argued by Mr. Jones for the plaintiff

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The United States
The Bank Mechelburg Strasburg
& Hackett claimant
} This cause was argued by the Attorney General

The Court adjourned till tomorrow morning 11 o'Clock

Friday March 15th 1816.

The Court met according to adjournment —

Present — The Chief [illegible] John Marshall Chief Justice
Bushrod Washington
William Johnson —
[illegible]
Thomas Todd —
[illegible]
Joseph Story —
} Associate Justices

The United States —
The Brig Mechelberg Borgo —
} This cause was further argued by Mr Charlton for the Defendants and by the Atty Genl for the Plaintiffs —

The Brig [illegible] —
The United States —
} this cause was argued by Mr Charlton and Mr Harper for the Claimants and by the Atty. General and Mr Pinkney for the Defendants — .. —

The Brig Eliza — Mitchell Claimant
The Fancy Jacks Chazel Comr —
} This cause was argued by Mr Charlton for the Claimant by Mr Emmet for the Defts.

The Court adjourned till tomorrow morning 11 o'Clock

Saturday March 16th 1816

The Court met according to adjournment —

Present The Chief [illegible] John Marshall Chief Justice
Bushrod Washington
[illegible]
[illegible]
Thomas Todd
Gabriel Duvall and
Joseph Story —
} Associate Justices

The Ship [illegible]
& Cargo &c. Claimants —
& Ship [illegible] &c. —
} This cause was argued by Mr Key & Mr Harper for the Claimts. and by Mr Dexter and Mr Pinkney for the

The King Owners Cargo
&c Jones Claimts
Alexander Thompson & others
Privateer Unidas

The cause was argued by Mr Chrittenden for the Claimant and by Mr Pinkney for the Defendants

The Court adjourned till Monday morning 11 oClock.

Monday March 18th 1816

The Court met according to adjournment

Present The Worshipful John Marshall Chief Justice
Bushrod Washington
Wm [illegible]
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
Associate Justices.

The Cargo of the King Hiram
Carey & others Claimts
vs
Lee Rowe & others owners
of the Privateer Hiram

This cause was argued by Mr Pinkney for the Appts and by Mr Rodney for the Appd

The Court adjourned till tomorrow morning 11 oClock

Tuesday March 19th 1816

The Court met according to adjournment

Present The Worshipful John Marshall Chief Justice
Brockholst Livingston
Thomas Todd and
Gabriel Duvall
Associate Justices

The Ship Earl of Sligo
vs
Taylor & Hall

The cause was argued by Mr Rhodes for the Claimant and Taylor & Hall
The Sarah Ann &c
for the Libellants

The Court adjourned till tomorrow morning 11 oClock

Wednesday March 20th 1816

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

The Earl of Antrim's Barge
Lord Mayo's Claim
vs
The United States

The cause was argued by Mr Dexter for the Claimant

Thursday March 21st 1816

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

The Barge of the Brig Diana
vs
The United States

This cause was argued by Mr Pinkney and Mr Harper for the Claimant and by the Attorney General for the Defendant

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Friday March 22d 1816

The Court met pursuant to adjournment

Present The Honble John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

The following several opinions
The Court adjourned till the
Court

Pleas

Frederick Leeds & Bro } Entered agreed by direction of
Alexander Brooke admr } C.J. for Complt for Defendt
} and the only counsel in the cause

The Schooner Boston & George
John W Treadwell & Claimt } Claimants pray an
} appearing ordered by the
The United States } Court that the said Appeal
be dismissed . . . . . .

Wm Brent & Wife } This cause came on to be heard on the
} Transcript of the Records and was
Henry W Wall } argued by Counsel, on consideration
whereof it is adjudged, ordered & decreed that the Judg-
ment of the Circuit Court for the District of Columbia for the
County of Washington in this cause be and the same is hereby
affirmed with costs . . . . . .

Samuel Hutchinson } The Plaintiff entered an appear-
} ing on motion of the Plaintiff It is
Henry W Rutledge & Defdt } Ordered that the writ of error
in this case be and the same is hereby dismissed with costs

The United States } This cause came on to be heard on the
} Transcript of the Records and was
The Brig William Gray } argued by the Attorney General on
George Crudy Claimt } the part of the Appellant, on consid-
eration whereof and examination of said Transcript It is adjudged
ordered and Decreed, that the Decree of the Circuit Court for the
District aforesaid, reversing the Decree of the District Court of
the said District in this case be and the same is hereby reversed
and annulled and the said Appellee and Claimant be and
such Decree as the said Circuit Court should have passed It is
further Ordered and Decreed that the Decree of the said District

Court condemning the said Brig Indiana Barge her Tackle &c be and the same is hereby affirmed.

John Lewis Tenn. Davis and Mary Lewis
vs
Weyland Lewis

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof

It is adjudged and decreed that the Judgment of the Circuit Court for the District of Indiana in the County of Washington in this case be and the same is hereby affirmed

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The Ships Peterhoff her Tackle &c
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is adjudged ordered and decreed that the Decree of the Circuit Court for the District of Maryland in this case be and the same is hereby affirmed with costs

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The Private armed Vessel Fichtel. Charles Johnson Commander.
vs
13 Casks and four Baskets of Sweetmeats &c &c &c
more or less Claimed

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged decreed and ordered that the Decree of the Circuit Court for the District of New York in this case be and the same is hereby affirmed with costs.

The Private armed Vessel Fichtel
Charles Johnson Commander
vs
57 Casks of Sweetmeats one Box, Bundles of Shawls &c &c &c Claimed

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged ordered and decreed that the Decree of the Circuit Court for the District of New York in this case be and the same is hereby affirmed with costs.

Decree.

The Private Armed Sloop Fickle
Charles Johnson Commander.

vs

21 Casks of Merchandize &c.
Edward Lyde Claimant

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged ordered and decreed that the Decree of the Circuit Court for the District of New York in this case be and the same is hereby affirmed with costs.

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21 Bales of Merchandize &c
John Richardson Claimt

vs

The Private Armed Sloop Fickle Charles Johnson Commander &c.

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged ordered and decreed that the Decree of the Circuit Court for the District of New York, in this case be and the same is hereby affirmed with costs.

Richard Hunter Esqr
Jeffs & Co in Trinidad

vs

The United States

This cause came on to be heard on the Transcript of the Record and the Statement of Counsel, on consideration whereof, It is ordered and adjudged, that the Judgment of the Circuit Court for the District of Connecticut in this case be and the same is hereby affirmed with costs.

Robert and James Brandewine
Admrs of Joseph Brandewine

vs

John Coe

By consent of the parties in the case by their Counsel It is ordered that this cause be remanded to the Circuit Court for the District of Columbia in the County of Washington in this case to the end that such Judgment of the Circuit Court for the District of Columbia in the County of Washington in this case be and the same is hereby affirmed

with costs, and damages at the rate of six per centum per annum including Interest on the amount of the Judgment of the said Circuit Court

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The United States
vs
Josiah Williams

On motion of the Attorney General and by consent of the Defendant by his Counsel It is ordered, that the writ of error in this case be and the same is hereby dismissed.

The United States
vs
Josiah Williams

On motion of the Attorney General and by consent of the Defendant by his Counsel It is ordered, that the writ of error in this case be and the same is hereby ~~affirmed~~ dismissed.

The Ship Hope de Guardiana
John Cumming Claimant—
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof

It is adjudged ordered and decreed of the Circuit Court for the District of Georgia in this case condemning the said Ship Hope de Guardiana her Tackle &c be and the same is hereby affirmed with costs.

The Schooner Eugene Cargo
John Cushing Claimant
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsels, on Consideration whereof,

It is adjudged ordered and decreed that the Sentence of the Circuit Court for the District of Georgia in this case; condemning the said Schooner Eugene and Cargo be and the same is hereby affirmed with costs and damages, at the rate of six per centum per annum on the appraised value of the Vessels and Cargo

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Decree

The United States
vs
Peter Rider of Sugar from
of the Cargo of the Brig
Franklin Frederick
& Heinrich Claimant

This cause came to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is Decreed and ordered that the Decree of the Circuit Court for the District of New York in this case; be and the same is hereby reversed and annulled; and the Court proceeding to pass such Decree as the said Circuit should have passed. It is further decreed and ordered that the sum of seventy one Hogsheads Eight barrels and two kegs one hundred and sixty cases and twenty boxes of sugar; claimed by Frederick & Heinrich, be and the same are hereby condemned as forfeited to the United States.

The United States
vs
The Schooner Virgin & Cargo
John Watkins Claimant

On motion of the Attorney General and by consent of the Defendant by his counsel. It is ordered that the appeal in this cause and the same is hereby dismissed

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John Green
vs
James Watkins,
John Lancaster
Benj. Pendleton &
Samuel Pendleton

Mr Hughes of Counsels for the Defendant, having produced a certified copy of the writ of error and citation in this case from the Clerk of the Circuit Court for the District of Kentucky, on motion, It is ordered that the same be filed and docketed and that the said writ of error be and the same is hereby dismissed with costs

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Robert Anderson
vs
John Longdon, Samuel Carson
George Gonsales, Joseph Moss
Archibald McClean, John Ker
Henry and William Pagnier
Trustees of the Louisville Insurance
Navigation Company of
Louisville

This cause came on to be heard on the Transcript of the Record, and consideration whereof, It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia in the County of Alexandria be and the same is hereby affirmed with costs

damages at the rate of six per centum per annum, including interest, on the amount of the Judgment of the said Circuit Court.

Senate Thompson
vs
Robert Gray

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged and decreed that the Judgment of the Circuit Court for the District of Columbia for the County of Washington in this cause be, and the same is hereby affirmed, with costs.

The Casks of Nails and three casks of chains. C. Gourdy & the Claimants

vs

The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is adjudged ordered and decreed; that the Decree of the Circuit Court for the District of Maryland in the case affirming the decree of the District Court of said District, condemning the six hundred and forty one casks of nails, and three casks of chains be and the same is hereby affirmed with costs.

The Mayor & Aldermen and Inhabitants of the City of New Orleans

vs

Gabriel Winter, Excellor of Everton & Emanuel Everton his wife

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is adjudged ordered and Decreed, that the Judgment of the District Court for the District of Louisiana in this cause be and the same is hereby reversed and annulled, it not appearing to this Court, that the said District Court had Jurisdiction in said cause.

Charles L. Gilley
Thomas Mc Cobb

vs

The Private armed Ship
The Hannibal & Appurtenances

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is adjudged, ordered & decreed, that the Decree of the Circuit Court for the District of Pennsylvania in this cause restoring the ship and freight to the Claimants, and for dismissing the claim of Stephen Girard with costs &c, and the same is hereby affirmed with costs.

James B. Chamberlain, Lyde Goodwin Junr & Thos. B. Clements Junr

31 Thomas Cobb, Jacob Cowdin, William A. Robinson, Sylvester Robinson, Henry Rheuland, Peter Bogat, John Patrick, Richard A. Stewart, Gould Hopkins, Nicholas Hanes, Gabriel Chavers, Thomas Carpenter, Gilbert Jeffords, Thomas B. Butler, Josiah Sturges, Oliver Sturges, Benjamine Burroughs, Joshua A. Palmer, James K. Hamilton, Hezekiah Lords, William H. Robinson, William Hartshorne, John Ripley 2d, Robert Center, Theodore Ely, David Dunham, George L. Bruce, & Geo. W. Murray

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged, Decreed & ordered, that the Decree of the Circuit Court for the District of Pennsylvania in this case dismissing the Libel be and the same is hereby affirmed with costs.

The Brig Emboden, Ephraim Bishop, Claimant

vs

The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged, Decreed and ordered, that the Decree of the Circuit Court for the District of Georgia in this case condemning the said Brig Emboden her Tackle &c as prize of war to the United States be, and the same is hereby affirmed with costs.

John Donaldson of Robert Preston

vs

John Saunders

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof, It is adjudged and ordered that the Judgment of the Circuit Court for the District of Tennessee in this case be and the same is hereby affirmed with costs.

The Private armed Vessel
Ulysses &c. &c. of Boston
Libellants

by

The Brig Adeline & Cargo
the same &c. of the Rebels
Owners Claimants

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged ordered and Decreed that the Decree of the Circuit Court for the District of Georgia dismissing the Libels, be and the same is hereby affirmed with costs.

The Brig Emerald Blakes
Adeline & Cargo Claimants
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged Decreed and ordered that the Decree of the Circuit Court for the District of South Carolina in this cause condemning the said Brig Emerald & her tackle &c. as forfeited to the United States of America be, and the same is hereby affirmed, with costs.

Thomas Wooten
vs
William Ward and
Thomas Jones

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is Decreed and ordered, that the Decree of the Circuit Court for the District of Kentucky in this cause be, and the same is hereby affirmed with costs.

The United States
vs
The Brig Georgiana & Cargo
Isaac L. Hobbs Claimant

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is adjudged Decreed & ordered that the Decree of the Circuit Court for the District of Georgia in the cause reversing the Decree of the District Court of said District be, and the same is hereby reversed and annulled, and that the decree of the said District Court condemning the said Brig Georgiana & Cargo as forfeited to the Captors be and the same is hereby affirmed.

Decree

John Taylor
&c
Anthony Mundey

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof. It is the opinion of this Court that the Decree of the Circuit Court is erroneous and ought to be reversed and that the cause be remanded to the said Circuit Court with directions to order the Complainant to be nonsuited conformably to the following opinion to be delivered in this cause and that a final decree be entered in favour of the Defendant for his costs. The opinion of this Court is that a line ought to be extended from the mouth of the Big Sandy River up the Ohio to the mouth of the Kentucky River and from thence up the Kentucky River to the place where the same is intersected by a line to be extended from the mouth of the Big Sandy River due North to the Ohio aforesaid, and from the point of intersection due East and West to equal distances until it shall form the base of a square to contain two thousand acres of land, which is to be South of the said lines. —

Thomas & Thomas
Robert & Thomas
&c
John Lapsley
Thomas Wirt
Wirt Dixon &
Jno. Chuffin

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged ordered and Decreed that the Decree of the Circuit Court for the District of Kentucky in this cause be, and the same is hereby affirmed with costs. — —

The United States
vs
Joseph Jones, John
(of Peterson), Thomas
Shaw Exr. of John
Shaw dec'd. and Wilson
M. Cleland admr. of
Andrew Foster dec'd

Upon the question in this case referred to this Court from the Circuit Court for the District of Virginia as to the disposal of the penalty of the money remaining in the Custody of the said Circuit Court in the proceedings in this case mentioned. It is the opinion of this Court, that the penalty of the money remaining in the custody of the Circuit Court in the proceedings in the case of the United States against Joseph Jones and others mentioned, should be paid to the said Joseph Jones Collector of the District of Pittsburgh, to be by him divided in equal proportions between the said Thomas Shaw as the executor of the last will and testament of John Shaw dec'd, and Wilson M. Cleland as he is administrator of the goods and effects of the said

Jabone deceased, which ordered to be certified to the said Circuit Court.

Thomas Shine Exr. of John Shine decd. & Reubin M. Gillams admr. of Andrew Jabone decd. — v. Joseph Jones, late of Petersburg Williams Marshalls Clerk of the Circuit Court of the United States for the fifth Circuit & Virginia District.

Upon the question in this cause referred to this Court from the Circuit Court for the District of Virginia, and on which the opinions of the Judges of the said Circuit Court were opposed, Viz whether the Plaintiff Reubin M. Gillams, in right of his intestate was entitled to receive one moiety of that portion of the penalty, in the proceedings mentioned, which is by law to be distributed among the several informers of the District wherein the said penalty was incurred. It is the opinion of this Court, "that the representatives of the late surveyor in right of his Intestate was entitled to receive one moiety of that portion of the penalty in the proceedings mentioned which is by law to be distributed among the several informers of the District wherein the penalty was incurred." all which is ordered to be certified to the said Circuit Court. —.

John Doe Lessee of Jonathan Patton — v. William Easton.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of West Tennessee containing the question on which the Judges of that Court were divided in opinion, and was argued by Counsel, on consideration whereof. It is the opinion of this Court that the Defendant, not having derived either an equitable or legal title from a grant, does not hold his defence of the premises by virtue of a grant or deed of conveyance founded on a grant," and is not therefore protected in his defence by the laws of the land, nor is the Plaintiff barred by those laws from recovering the parcels of ground and premises for which his suit was instituted. All which is ordered to be certified to the said Circuit Court for the District of West Tennessee.

Decrees

The Private armed Schooner Sherald John Hilton Comr vs The Cargo of the Schooner Antonio Schooner John Gallardo Claimant

103

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of North Carolina, and was argued by Counsel, on consideration whereof. It is adjudged decreed and ordered, that the decree of the said Circuit Court in this case, be and the same is hereby affirmed, except so far as it charges the freight upon the property condemned, and the moiety claimed by Jasper Ivers and Bernard, and as to this part, that the said Decree be reversed and annulled, and that the freight be decreed to be a charge upon the whole cargo, to be paid by each proportionably thereof in proportion to its value and that the cause be remanded to the said Circuit Court, for the purpose of reforming its Decree, according to the opinion of this Court.

John Van Ness of Saml Parfoth vs Isaac Thomas

58

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged & ordered, that the Judgment of the Circuit Court for the District of East Tennessee be and the same is hereby affirmed with costs

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Twenty five bales of Merchandize &c being part of the cargo of the Ship Patrick Jane Peter Finds Claimant

136

Peter & Schmelz & other owners &c of the Private armed Brig Commerce Tompkins

This cause came on to be heard on the question adjourned from the Circuit Court for the District of New York, on which the Judges of that Court were divided in opinion and was argued by Counsel on consideration whereof. It is the opinion of this Court that the goods restored to the Finds by order of the Circuit Court for the District of New York in pursuance of the Mandate of this Court are chargeable with the same rate of duties as goods imported

into the United States or foreign Nations which is ordered to be certified to the Circuit Court for the District of New York.

The Ship San Andrew &c. Appellant
vs.
Joseph Clement Appellee

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof it is adjudged ordered and decreed that the Decree of the Circuit Court for the District of Pennsylvania in this cause condemning the property libelled by the Libellant as forfeited to the United States be and the same is hereby affirmed with costs.

The Brig Peter Anthony George
vs
The United States

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof It is Ordered and Decreed that the Decree of the Circuit Court for the District of Massachusetts condemning the said Brig Peter and Cargo as forfeited to the United States be and the same is hereby reversed and annulled and the Court proceeding to pass such Decree as the said Circuit Court should have passed, It is further Decreed and ordered that the Libel in this cause be dismissed and that the said Brig Peter her tackle apparel and appurtenances and Cargo be restored to the Claimants

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[illegible] Dundas [illegible]

William Stephens & John Dundas Stevens Dundas & Henry Dundas by William Stephens their Guardian, Thomas Dundas, Thomas Dundas, William Dundas, and William Stephens; heirs of John Dundas dec'd & Thomas Dundas & Wife Mary Dundas late Mary Stevens Executrix of Thomas Stevens late of Boston deceased Appellees

These causes came on to be heard on the Transcript of the Record and were argued by Counsel, on consideration whereof It is Decreed and Ordered, that the Decree of the Circuit Court for the District of Columbia in the County of Alexa. in these causes be and the same is hereby reversed and annulled, and this Court proceeding to pass such Decree as the said Circuit Court should have passed, It is further Decreed and ordered, that the Bill of the Complainants

Decree

John Dunlop, John Dinwoodie, William Smith & John Lang, merchants & traders under the firm of John Dunlop & Company.

vs

William Stephenson and the heirs & representatives of John Dundas deceased

and

William Stephenson and the heirs & representatives of John Dundas deceased

vs

John Dunlop & Company.

These causes came on to be heard on the Transcript of the Records of the Circuit Court for the District of Columbia in the County of Alexandria, and were argued by Counsel, on consideration whereof It is decreed and ordered that the Decrees of the said Circuit Court in this case be and the same is hereby reversed and annulled and this Court proceeding to pass such Decree as the said Circuit Court ought to have passed, It is further decreed and ordered, that the Defendants William Stephenson and the executors and executors of John Dundas do on or before the first day of March next pay to the Complainants John Dunlop & Co. or to their agent or attorney duly authorized to receive the same the sum of nine thousand one hundred and forty three dollars and seventy two cents being the difference between the sum of nineteen thousand four hundred and sixty four dollars and twenty four cents, the value in current money at the rate of exchange of the sterling debt stated in the awards of William Hartshorne, William Herbert & William Hodgson to be due by Stephenson and Dundas to John Dunlop and Company. with Interest thereon after the rate of six per centum per annum from the first of January 1800 to the 27th March 1809, and twenty one thousand one hundred and twelve dollars the sum due upon William Graham's bond, on the first day of January 1800. It is further decreed and ordered that the six thousand acres of lands in the proceedings mentioned be sold at public auction to the highest bidders, at such time, in such proportions, and upon such terms, as John Dunlop & Co

a their agent or attorney in fact may direct, and that the proceeds of such sales be paid over to the said John Dunlop or to their agent or attorney as aforesaid and upon such sale or sales being made, it is decreed and ordered, that the said William Hepburn as the legal representatives and the legal representatives of John Dunlop dec'd do by good and sufficient deeds or deeds in law to be prepared by and at the expense of John Dunlop convey the aforesaid lands to the purchaser or purchasers thereof in fee simple with a general warranty and free from all incumbrances; and it is further ordered and decreed that the sales of the aforesaid lands be made under the superintendance of Colin Cuddy the attorney in fact of John Dunlop and Company or of such other person or persons as the said Circuit Court may appoint in case the said Colin Cuddy should decline to serve, or the said Circuit Court should for good cause to appear make such other appointment.

And it is further ordered and decreed that the Defendants Hepburn Wiseman as the executors and executrix of John Dunlop dec'd do make to Make and settle before a commissioner or commissioners to be appointed by the said Circuit Court an account of the rents & profits of the said six thousand acres of land since the 25th of March 1809, and that they pay over the same to the complainants John Dunlop & Company or to their lawful agent or attorney.

And this cause is remanded to the said Circuit Court for such proceedings to be had therein as may be necessary for carrying into execution the decree of this Court in the premises.

March 9th

James Hendrick use of Allen Bryan — }
Alexander Salamon } 76

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria, and was argued by Counsel on consideration whereof. It is the opinion of this Court that the replication is a sufficient avoidance of the bar pleaded by the defendant in his second plea, and that the Judgment thereon

ought to have been for the Plaintiff. It is therefore adjudged and ordered, that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and it is further ordered, that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to law

March 11th

Thomas Moreau. vs. The United States Insurance Company

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged and ordered that the Judgment of the Circuit Court for the District of Pennsylvania in this case, be and the same is hereby affirmed with costs.

March 11th

Daniel Kemp and Daniel Bussard vs. Horace Marshall

This cause came on to be heard on the Transcript of the Record and was argued by Counsels, on consideration whereof It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia in the County of Washington, in this case, be, and the same is hereby affirmed with costs

March 12th

Thomas Flood and Charles Mauntin vs. John Cummings Hilly Black, John Henry & Peggy his wife & William Henry and John Cummings & other

Thomas Flood & Charles Mauntin vs.

These causes came on to be heard on the Transcript of the Record and was argued by Counsels, on consideration whereof. It is Decreed and ordered, that the Decree of the Circuit Court for the District of Columbia in the County of Alexandria in these cases be and the same is hereby affirmed with costs.

March 11th

The Mutual Assurance Society &c
vs.
Robert T. Taylor-Executor of John Wales

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is Decreed and ordered, that the Decree of the Circuit Court for the District of Columbia in the County of Alexandria in this cause be and the same is hereby reversed and annulled; and that the said cause be remanded to the said Circuit Court with directions to Decree to the complainants the sum due for the insurance on the buildings in the proceedings mentioned, and to subject the said buildings to the payment of said sum due the complainants.

March 13th

Nathan Whaley
vs.
Edward Fisher
Henry M. Fisher and
Elizabeth Fisher

This cause came on to be heard, on the Transcript of the Records of the Circuit Court on the District of New York and was argued by Counsel, all which being considered this Court is of opinion, that there is error in the Judgment of the Circuit Court for the District of New York in this, that the said Court ought not to have rendered judgment on the said Verdict in favor of the Plaintiffs in Ejectment, because it does not appear certainly in the said Verdict that the ancestor under whom the Plaintiffs claim held in Law or in fact the Lands mentioned in the declaration when the treaty of 1783 between the United States and Great Britain was made, therefore it is considered by this Court that the said Judgment be reversed and annulled, and that the cause be remanded to the Circuit Court for the District of New York with directions to award a venire facias denovo.

March 15th

Samuel Johnson & Lefferts of Baltimore Appellants

John Jones with notice to Joseph Dickinson Joseph Dickinson the Youngers John Jackson & Jos Callender

On motion and by consent of the parties by their Counsel It is adjudged and ordered, that the Judgment of the Circuit Court for the District of Penna Court in this case be and the same is hereby reversed and annulled and that the said cause be remanded to the said Circuit Court for further proceedings to be had therein, agreeable to the terms and conditions, and for the purposes, mentioned in the agreement of the Counsel, filed in this cause.

March 15th

The Ship Edward &c. Scott Claimt

vs

The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on considerations whereof.

It is Decreed and ordered, that the Decree of the Circuit Court for the District of Massachusetts in this case, condemning the said Ship Edward, as forfeited to the United States, be, and the same is hereby affirmed with costs.

James St Stephens and others Owners &c of the Private armed Schooner the Active

vs

The goods captured from the Schooner Cornelia

On motion of Eby Assistant, by his Counsel to be permitted to file his claim in this cause! It is Decreed and ordered, that the Decree of the Circuit Court for the District of South Carolina in this case, be and the same is hereby reversed, and annulled; without prejudice; and it is further ordered by Decree, that the said cause be remanded to the said Circuit Court with directions to allow the claim to be filed in that Court; and also to allow the libel to be amended so as to conform to the general allegations of proof; and to enable the Captor to obtain condemnation of the property, if the afforesaid claim shall not be sustained, and the property shall not otherwise entitled to the protection of the Spanish treaty.

Williams Walden, Robert Bass, John Prillethwaite and John Bradford —

vs

John Doe Lessee of Thomas Grady, Hyman Grady, Joseph Grady, Jacob Grady, Benjamin Grady, Reuben Grady & Frances his wife late Frances Grady, Samuel Grady and Rachel his wife, Jacob Grady, Rebecca Grady, Reuben Grady, Solomon Moore and Rachel his wife, heirs and representatives of Reuben Grady dec'd —

This cause came on to be heard on the Transcript of the Records of the Circuit Court for the District of Kentucky and was argued by Counsel, on consideration whereof, this Court is of opinion; that there is error in the proceedings and Judgment of the said Circuit Court in this, that the Judge thereof directed the Jury, that the Defendants in Possession could not connect their adverse possessions for years prior to the date of the Patent under which they claimed with their adverse possessions subsequent thereto, but, in length of time which would bar the action, could compute that only which had elapsed, subsequent to the emanation of their grant whereupon it is considered by the Court, that the Judgment of the Circuit Court be reversed and annulled, and that the cause be remanded to the Circuit Court with directions to award a new trial therein.

March 1818

Philip Martin heir at Law & devisee of Benj. Dawson dec'd —

vs

Timothy Taylor Lessee of Reuben Munter —

This cause came on to be heard on the Transcript of the Records of the Court of Appeals in and for the Commonwealth of Virginia and was argued by Counsel, on consideration whereof, this Court is unanimously of opinion that there is error in the Judgment of the said Court of Appeals in and for the Commonwealth of Virginia rendered on the mandate in this cause in this, that the said Court of Appeals has determined, that the Appellate powers of the Supreme Court of the United States does not extend to that Court, and that so much of the 25th Sec: of the act of Congress to

Record

establish the Judicial Courts of the United States and the Jurisdiction of the Supreme Court to that Court did not [illegible] of the Constitution of the United States that the record of proceedings removed the records in this case before this Court was improvidently allowed; that the proceedings thereon in the Supreme Court were coram non judice in relation to the Court of Appeals of the [illegible] and that the decree of this Court be declared, wherefore it is Ordered by this Court that the said decree of the Court of appeals of Georgia be reversed and annulled; and this Court proceeding to render such judgment as the said Court of appeals ought to and for the reasons assigned by the Court ought have rendered. It is considered and adjudged that [illegible] Lessee of David Hunter the original Plaintiff take nothing by his bill, but for his false clamor be in mercy &c. and that the Defendant, Philip Martin go thereof without day. [illegible]

John W. Glazel and other owners of the Private armed Schooner Nancy Jack

vs.

The Ship St Nicholas and part of the Cargo. Onegos & other Claimants —

and

The Ship St Nicholas and part of the Cargo claimed by Onegos & others

vs

John W. Glazel and other owners &c of the Private armed Schooner Nancy Jack

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Georgia and was argued by Counsel, on consideration whereof It is Decreed and ordered, That the Decree of the Circuit Court for the District of Georgia in this case, so far as the same affirms the Decree of the Circuit Court of said District restoring the said Ship St Nicholas, and the [illegible] part of the Cargo thereof claimed on behalf of John Onegos, be and the same is hereby reversed and annulled; and this Court proceeding to [illegible] such Decree as the said Circuit Court should have passed. It is further Decreed and Ordered, that the said Ship St Nicholas and the said [illegible] part thereof be condemned as forfeited to the Captors and as to so-

marks of the Decree of the said Circuit Court as condemns the cotton claimed on behalf of Klatzaran & Co[illegible] and on behalf of John Innerarity All is further Decreed and ordered that the same be and is hereby affirmed with costs

21st March

The Cargo of the Brig Eliza Peter Mitchell Claimant ...

vs

John P Chiazzi and other owners &c of the Private armed Schooner Nancy Stack

This cause came on &c on considerations whereof, It is Decreed and ordered, that the Decree of the Circuit Court for the District of Georgia condemning the Cargo of said Brig Eliza be and the same is hereby affirmed with costs

21st March

The United States

vs

Cornelius Coolidge William S Wold, George Blake, Daniel Dana, Horatio Rockford, Samuel A Eliot Joseph Child, John Bean and John Tilly

This cause being called in due course, the Attorney General appeared and declined arguing it on behalf of the United States, and no person appearing on behalf of the Defendants it is ordered, that it be remitted to the Circuit Court for the District of Massachusetts in conformity to the decisions of this Court in the case of the United States vs Goodwin et al, that the law is against the Jurisdiction of the Courts of the United States

21st March

The United States

vs

[illegible] Elam

This cause being called in due course, the Attorney General appeared and declined arguing it on behalf of the United States, and no person appearing in behalf of the Defendants it is ordered that it be remitted to the Circuit Court for the District of Massachusetts in conformity to the decisions of this Court in the case of the United States vs Goodwin et al that the Law is against the [illegible] of the Courts of the [illegible]

21st March

The United States

vs

[illegible] & Elam

This cause being called in due course the Attorney General appeared and declined arguing it on behalf of the United States, and no person appearing in behalf of the Defendants it is ordered, that it be remitted to the Circuit Court for the District of Massachusetts in conformity to the decisions of this Court in the case of the United States vs Goodwin et al, that the Law is against the Jurisdiction of the Courts of the United States

The United States
vs
the Brig Heidelberg Master
Matthew Baxter Claimt

This Cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is Decreed & ordered, that the Decree of the Circuit Court for the District of Georgia allowing the said Brig Heidelberg & the Claimants to be the same is hereby reversed and annulled, and the Court proceeding to pass such Decree as the said Circuit Court should have passed; It is further Decreed and ordered, that the said Brig Heidelberg and Cargo be condemned as forfeited to the Captors

31st March

The Ships Commercium George
Sandgrove & Others Claimants.
vs
Edward Bass & Others owners &c

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged and ordered and Decreed, that the Decree of the Circuit Court for the District of Pennsylvania in this case, be and the same is hereby affirmed with costs.

22nd March

David Ross & Samuel Morrison
vs
John Van Effen & Andrew Reid

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is adjudged and ordered that the Judgment of the Circuit Court for the District of South Carolina in this case be and the same is hereby affirmed with costs.

22nd March

Enoch Pringle
vs
James Tilton & Others Trustees of
the Pennsylvania University

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is Decreed and ordered, that the Decree of the Circuit Court for the District of Pennsylvania in this case be and the same is hereby affirmed with costs

31st March

The Brig Frederick Wedge
Mazeen Kimball Claimt
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is Decreed and Ordered, that the Decree of the Circuit Court for the District of Georgia in this case condemning the said Brig Frederick Wedge as prize of war be and the same is hereby affirmed with costs — 22nd March.

Philips Executor &c
vs
Isaac Smith Jr &c
Smith &c vs Isaac Smith &c

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Rhode Island on the point on which the Judges of that Court were divided in opinion and was argued by Counsel, on consideration whereof the Court are of opinion that the said action of the Plaintiff is insufficient to avoid the plea of the Defendant - Also ordered & ordered to be certified to the said Circuit Court — 22nd March

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The Cargo of the Brig Mercury
John Randolph & al. Claimts
vs
The Brig Mercury & her armes &c &
The Private armed Boat Thomas

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is Decreed and Ordered that the Decree of the Circuit Court for the District of Pennsylvania in this cause condemning the Brig & Cargo as prize to the Claimants as good and lawful prize to the captors, be and the same is hereby affirmed with costs. — 22nd March

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Rule.

It is ordered by the Court that in all cases where further proof is ordered by the Court, that the depositions which shall be taken shall be by a commission to be issued from this Court or from any Circuit Court of the United States

Ordered That Henry Wheaton Esq. be appointed Reporter of the decisions of this Court.

At a Supreme Court of the United States begun and holden at the City of Washington in the first Monday being the third day of February in the year of our Lord one thousand eight hundred and twenty

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Associate Justices

There being no causes ready for trial the Court adjourned till tomorrow morning 11 O'Clock

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Tuesday February 4th 1817.

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Associate Justices

Cranch & Thomas
Edmund^s & Thacher
} This cause was opened by the Attorney General for Plaintiffs & parties appearing for Defts

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday February 5th 1817

The Court ~~adjourned~~ met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Associate Justices

Samuel Greenleaf
Fitzwilliam Cook
} This cause was argued by Mr Law for the Plff and by Mr Law for the Defendant.

Hutchinson &c
Lyon^s Executors
} This cause was argued by the Attorney General for the Plaintiff and by Mr Rand for the Defendant

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Ann Jones & Lewis Lessee
Henry Ragan & Wife

This cause was argued by Mr. Jones for the Pltff and by Mr. Lewis for the Defendants

The Court adjourned till tomorrow morning 11 o'Clock.

Thursday February 6th 1817

The Court met according to adjournment

Ann Jones & Lewis Lessee
Henry Ragan & Wife

This cause was further argued by Mr. Thomas for the Defendants and Mr. Campbell for the Pltff

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George Hunter and others
Thomas Ap Bryant

This cause was opened by Mr. Key for the Pltffs

The Court adjourned till tomorrow morning 11 o'Clock.

Friday February 7th 1817

The Court met according to adjournment.

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Especiale Justices

George Hunter and others
Thomas Ap Bryant

This cause was further argued by Mr. Jones for the Defendant and Mr. Johnson for the Pltffs

The Court adjourned till tomorrow morning 11 o'Clock

Saturday February 8th 1817.

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Especiale Justices

Thomas Davison
Charles Carter & Wife

This cause was argued by Mr. Taylor for the Pltff and by Mr. Lee for the Defendants

The Court adjourned till tomorrow morning 11 o'Clock

February Term 1817

Wednesday February 10th 1817
The Court met according to adjournment
Present the Worshipful John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Joseph Story } Justices

Cranch Coolidge &c. } This cause was argued by Mr Dexter for the Plaintiff
Henry Peyton &c. } and by Mr Meredith for the Defendants
The Court adjourned till tomorrow morning 11 OClock

Tuesday February 11th 1817
The Court met according to adjournment
Present The Worshipful John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Joseph Story } Justices

The Cargo of the Dos Hermanos Basil — Greene Beaumont — Thomas Shields &c. } This cause was argued by Mr Wheaton for the Plff and by Mr Hay for the Defendants

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Robert Hemsley } This cause was argued by Mr Swann for the
John T Brooke } Plaintiff and by Mr Taylor for the Defendant
The Court adjourned till tomorrow morning 10 OClock

Wednesday February 12th 1817
The Court met according to adjournment
Present The Worshipful John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Joseph Story } Justices

Neil & M Cormick } This cause was argued by Mr Lee for the Plaintiff and
Albert Lebrun's Heirs } by Mr Swann for the Defendant

The United States } This cause was argued by the Attorney General for the
George Haddon } Plff and by Mr Stephenson for the Defendant

David Ebbets & ats
vs Johnson Cadet
John T Shilton & ats
(The Paul Jones)
} This cause was argued by Mr Jones for the Plaintiffs and by Mr Webster for the Defendant

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The Brig Harvey Hide
Jas B Murray & ats Claimts
vs
The United States.
} This cause was argued by the Attorney General; no persons appearing for the claimants

The Court adjourned till tomorrow morning 11 Oclock.

Thursday February 13th 1817
The Court met according to adjournment
Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Associate Justices

The United States
vs
The Schooner Two Pedros &
Peter L Levy Claimant
} This cause was argued by the Attorney Genl for the Plaintiffs, and by Mr Webster for the Defendant.

The Court adjourned till tomorrow morning 11 Oclock.

Friday February 14th 1817
The Court met according to adjournment
Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Joseph Story
} Associate Justices

The Brig Orleans
vs
The United States
} This cause was argued by Mr Hopkinson for the Plaintiff and by Mr Webster for the Defendants

The Court adjourned till tomorrow morning 11 Oclock.

Saturday February 15th 1817
The Court met according to adjournment
Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson &
Joseph Story
} Associate Justices

February Term 1817

Holding further Term

Justices Washington Bland
The United States

The cause was further argued by the Attorney
for the Defendants and by Swann for the
Appellants
The Court adjourned till tomorrow morning 11 o'Clock

Monday February 17th 1817
The Court met according to adjournment
Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson — } Associate Justices
Gabriel Duvall and
Joseph Story

The Ship Fortuna Thorp
Behrens Master
The Privateer Rogers

The cause was further argued by Mr Key
for the Defendants

The Court adjourned till tomorrow morning 11 o'Clock

Tuesday February 18th 1817
The Court met according to adjournment —
Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson — } Associate
Gabriel Duvall and } Justices
Joseph Story

The Ship Fortuna Thorp
Behrens Master
The Privateer Rogers

This cause was opened by Mr Gaston
This case is transposed.

The Court adjourned till tomorrow morning 11 o'Clock

Wednesday February 19th 1817
The Court met according to adjournment —
Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Gabriel Duvall and } Justices
Joseph Story

The Ship Fortuna Thorp
Behrens Master
The Privateer Rogers

This cause was further argued by Mr
Hopkinson for the Plaintiffs

Thursday February 20th 1817.

The Court met according to adjournment—

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Associate Justices

Peter Laidlaw &c. &
Steuben Rathbone } Plaintiffs in Error
} This cause was argued by the Attorneys for the Plaintiffs in Error and by the Atty for the Defendant—

The Court adjourned till tomorrow morning 11 o'Clock

Friday February 21st 1817.

The Court met according to adjournment.

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson &
Joseph Story
} Associate Justices

The Bank of Washington
The United States
} This cause was opened by Mr. Winder

The Court adjourned till tomorrow morning 11 o'Clock

Saturday February 22nd 1817.

The Court met according to adjournment.

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson &
Joseph Story
} Associate Justices

William Malcomb &c
Executors of Washington
The United States
} This cause was further argued by Mr. Winder and Mr. Harper for the Plaintiffs and by the Atty Genl for the Defendants

The Court adjourned till Monday Morning 11 o'Clock

Monday February 24th 1817.

The Court met according to adjournment.

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson &
Joseph Story
} Associate Justices

February Term 1817

Caffeth &c Rutherford } This cause was argued by the Complts
Nathaniel W Green for the } & for the Plaintiff and by Mr Law and Mr Levy
for the Defendants.

The Court adjourned till tomorrow morning 11 O'Clock

Tuesday February 25th 1817.

The Court met according to adjournment

Present The Worshipful John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Gabriel Duvall and } Justices
Joseph Story

Caffeth &c Rutherford } This cause was further argued by
Nathaniel Green Esqr & the Counsel for the Plaintiff &

Case of Johnson } This cause was argued by Mr Talbot for the
David Parmelis heirs & Plaintiff and by Mr Martin for the Defts

The Court adjourned till tomorrow morning 11 O'Clock

Wednesday February 26th 1817

The Court met according to adjournment

Present The Worshipful John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Gabriel Duvall and } Justices
Joseph Story

Wirt Williams } This cause was argued by Mr Ogden and Mr
The United States & Harper for the Plaintiffs and by the Attorney
General for the Defendants.

The Court adjourned till tomorrow morning 11 O'Clock.

Thursday February 27th 1817.

The Court met according to adjournment

Present The Worshipful John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Gabriel Duvall and } Justices
Joseph Story

The Brooklyn Bank } This cause was argued by the learned
vs } for the Plaintiffs and by Mr Key and
The Ship Diana Borgo & } the Attorney Genl for the Defendants

The Court adjourned till tomorrow morning 11 oClock.

Friday February 28th 1817

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson — } Associate
Gabriel Duvall and } Justices
Joseph Story — }

Laban Ship & Coll.r } This cause was argued by Mr Talbot for the
Samuel Miller & Coll.r & Plaintiffs and by Mr Chilton and Jones for
the Defendant.

The Court adjourned till tomorrow morning 11 oClock

Saturday March 1st 1817.

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson — } Associate
Gabriel Duvall and } Justices
Joseph Story — }

Ewing & Sibley } This cause was argued by Mr D Hardin and
Wm Radford & } Mr Talbot for the Plff and by Mr D Hardin for
the Defendant.

The United States } This cause was argued by the Atty Genl
Abraham Newkirk & the persons appearing for the Defendant

The Court adjourned till Monday morning 11 oClock.

Monday March 3d 1817

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson absent } Associate
Gabriel Duvall and — } Justices
Joseph Story —

February Term 1817

John Gp Stearns — } This cause was argued by the Attorneys for
Anthony Dey Executor &c Plff in Err } the Parties & the Counsel
vs } for the Defendants
The Court adjourned till tomorrow morning 11 Oclock

Tuesday March 4th 1817
The Court met according to adjournment
Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Gabriel Duvall and } Justices
Joseph Story
The Cargo of the Ship London
Packet of Nottingham Plff in Err } This cause was opened by Mr
vs } Winder
The Privateer Argus — Deft
The Court adjourned till tomorrow morning 11 Oclock.

Wednesday March 5th 1817
The Court met according to adjournment.
Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson — } Associate
Gabriel Duvall and } Justices
Joseph Story —
The Cargo of the Ship London
Packet of Nottingham Claimt } This cause was further argued by the
vs } Jones and Mr Sullivan for the Defendant
The Privateer Argus — } and by Mr Ogden for the Plff
The Court adjourned till tomorrow morning 11 Oclock —

Thursday March 6th 1817
The Court met according to adjournment
Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson — } Associate
Gabriel Duvall and } Justices
Joseph Story —

Henry L Dehaven & alts.
vs
The Schooner George & Cargo
United States Claimants

This cause was argued by Mr Sullivan and Mr Webster for the Plaintiffs and by the Atty Genl for the Defendants.

The Court adjourned till tomorrow morning 11 O'Clock

Friday March 7th 1817

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
Associate Justices

Henry L Dehaven & alts.
vs
The Sloop Experiment & Cargo
United States Claimant

This cause was argued by Mr Sullivan and Mr Webster for the Plaintiffs and by the Attorney General for the Defendants.

The Court adjourned till to morrow morning 11 O'Clock

Saturday March 8th 1817

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
Associate Justices

Charles Francis
vs
John Mc Roberts

This cause was argued by Mr Mc D Hardin for the Defendant no person appearing for the Plaintiff

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Charles Morgan
vs
Charles Morgan's heirs

This cause was argued by Mr Mc D Hardin and Mr Jones for the Plaintiff and by Mr Talbot for the Defendants

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John Lilter and alts
vs
John Glass

This cause was argued by Mr Hughes in writing for the Plaintiffs and by Mr Mc D Hardin and Mr Jones for the Defendant

The Court adjourned till Monday Morning 11 O'Clock

February Term 1817.

Monday March 10th 1817

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson — } Associate
Gabriel Duvall — } Justices
Joseph Story — }

The United States
The Bargus Argo Cargo
Thomas Arnold Claimt

This cause was argued by Mr. Sullivan and the Atty Genl for the Plaintiffs and by Mr Swartwout for the Defendant —

The Court adjourned till tomorrow morning 11 O'Clock.

Tuesday March 11th 1817

The Court met according to adjournment

Present the Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Gabriel Duvall } Justices
Joseph Story —

Martin Waller & ux^r
George Hite & ux^r

This cause was argued by Mr. Swann and Mr. Harper for the Plaintiffs and by Mr. Jones and Mr. Leander for the Defendants —

The Court adjourned till tomorrow morning 11 O'Clock.

Wednesday March 12th 1817

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson } Associate
Gabriel Duvall } Justices
Joseph Story —

John Hodges
John Bowden

This cause was argued by Mr. Key and Mr. Jones for the Plaintiffs and by Mr. Ogden and Mr. Harper for the Defendant —

The Court adjourned till tomorrow morning 11 O'Clock.

Thursday March 13th 1817.

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Joseph Story
Gabriel Duvall
} Associate Justices

John Hopkins
Richard Blaine Lee
} This cause was argued by Mr Swann for the Plaintiff and by Mr Lee and Mr Jones for the Defendant.

David Lenox Pelle
John Roberts
} This cause was argued by Mr Swann for the Plaintiff and by Mr Lee for the Defendants

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Jedediah Leeds
The Marine Ins Company of Alexandria
} This cause was argued by Mr Swann for the Plaintiff and by Mr Lee for the Defendants

The Court adjourned till tomorrow morning 10 O'Clock

Friday March 14th 1817

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall and
Joseph Story
} Associate Justices

Christopher Hughes Jun^r
Thomas Le Taylor
} This cause was argued by Mr Jones for the Plaintiff

David Gelston and
Peter A Schenck
Gould Hoyt
} This cause was argued by the Attorney Gen^l for the Plaintiffs and Mr Hoffman for the Defendant

The Court adjourned till tomorrow morning 10 O'Clock

February Term 1817

Saturday March 15th 1817.

The Court met according to adjournment.

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
} Associate Justices

After the following Rules were ordered by the Court to be entered

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Rule 1st.

Ordered. That no counsel shall be permitted to be heard in the argument of the presiding Judge in any Circuit Court or District Court exercising the Circuit Court Jurisdiction, that argument before any such Court should be restricted to the Supreme Court upon appeal from such presiding Judge in any other such rule or order for the safe keeping & transporting under seal of such original papers as to him may seem proper and this Court will access and consider such original papers in connection with the Transcript and the proceedings

Rule 2nd.

Ordered. In all cases of Admiralty and maritime Jurisdiction wherein new evidence shall be admissable in this Court, the evidence by testimony of witnesses shall be taken upon a commission to be issued from this Court or from any Circuit Court of the United States under the direction of any Judge thereof; and of no such commission shall issue but upon interrogatories to be filed by the parties applying for the commission and notice to the opposite party or his agent or attorney accompanied with a copy of the interrogatories so filed to file cross interrogatories within twenty days from the service of such notice Provided however that nothing in this rule contained shall prevent any party from giving testimony in open Court in cases where by Law it is admissable.

VOLUME C

Judgments & Decrees — February Term 1817.

1. George William Coventry otherwise called William Earl of Coventry — Josiah Collins — the Appellant in this case being called and not appearing. It is ordered that the writ of error be and the same is hereby dismissed.

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2. John Gilliam — Samuel Woods Exr. — the Plaintiff in this case being solemnly called and not appearing. It is ordered that the writ of error be and the same is hereby dismissed.

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3. Simeon Caswell and Joseph Howard — James Andrews & David Thachers — This cause came on to be heard on the Transcript of the Record of the Supreme Judicial Court for the State of Massachusetts and for the County of Suffolk and was conducted, and was argued by Counsel for the Plaintiffs in error, all which being seen inspected and considered it is the opinion of this Court that there is error apparent in the said Record & proceedings of the said Supreme Judicial Court in this, that the said Court decided that the plea in bar first by the said Caswell and Howard, the Defendant in that Court pleaded is bad, and no sufficient answer in law to the declaration of the plaintiffs in that Court: Wherefore it is considered by this Court that the said judgment be reversed and annulled, and that the cause be remanded to the said Supreme Judicial Court with directions to overrule the demurrer to the first plea by the said Defendants in that Court pleaded and to render Judgment thereon in favor of the said Defendants in that Court, all which is ordered accordingly.

Judge Marshall did not sit in this cause.

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4. James Greenleaf & Rolando Cooke — this cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel, all

and Decrees

February Term 1834

which being seen and considered, it is the opinion of this Court that there is error in the proceedings of the said Circuit Court in this, that the said Court refused to instruct the Jury on the application of the Counsel for the Plaintiff that on the facts given in evidence to them if believed, the Plaintiff was entitled to recover in the action, wherefore it is considered by this Court that the said Judgment of the said Circuit Court be reversed and annulled, and that the cause be remanded to the said Circuit Court to be proceeded in according to law.

William Duvall & } the death of John Craig the defendant first
vs } suggested, and afterwards the death of
John Craig and } Robert Johnson the surviving trustee sug-
Robert Johnson } -gested, and by consent of parties by
their counsel, the heirs and executors of the said Robert
Johnson dec^d made defendants in this cause viz John Payne
and Betsey his wife, James Johnson, Richard M Johnson,
Benjamin Johnson, John T Johnson, Joel Johnson, Henry
Johnson and Euclid, Madison Thomas, George and Wm
Johnson children and heirs of William Johnson dec^d infants
under the age of twenty one years by James Johnson their
Guardian, and Benjamin John & Polly his wife, Edmund
Johnson and Betsey his wife, James Ward, Malvina Ward,
George Ward and William Ward children and heirs of
Polly Ward dec^d which said James, Malvina, George and
William Ward, are infants under the age of twenty one
years by William Ward their Guardian heirs of the
said Robert Johnson dec^d and John Payne, James Johnson,
Richard M Johnson, Benjamin Johnson, and John T Johnson,
administrators of said Robert Johnson dec^d. This cause
was then argued by Mr. Gordon, and Mr. Goldsborough
for the Plaintiff and by Mr. Talbot for the Defendants.

17 John Doe Lessee of John C. Sevier & John Lowe vs Henry Ragan

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of West Tennessee and was argued by Counsel, on consideration whereof, It is adjudged and ordered that the judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

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30 The armed Schooner Esprit Pongo Marcellin Balguerie &c. vs The United States

The claimant in this case being solemnly called and not appearing. It is ordered that the appeal in this case be and the same is hereby dismissed with costs.

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12 William Kennedy & Wm Hodgson vs George Brownell

Writ of error in this case dismissed (nisi)

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31 The Earl Stafford and George William Taylor Claimants vs The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is Decreed and ordered that the Decree of the Circuit Court for the District of Georgia in this case be and the same is hereby affirmed with costs.

Feby 11th

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35 The Cargo of the Ship Theseus Wm Taylor Claimant vs The Private armed Vessell The Jersey Jack. Wm Shazell

By consent of parties by their Counsel, It is ordered, that the Appeal in this case be and the same is hereby dismissed.

Feby 11th

John Mocomo vs Freeman Awbery Samuel Phillips John Dennis and William R. Wilder

This cause came on to be heard on the Transcript of the Record of the Supreme Judicial Court for the State of Rhode Island and Providence plantation, and was argued by Counsel, on consideration whereof, It is

and Decree

February Term 1817

adjudged and ordered that the Judgment of the said Supreme Court for the State of Rhode Island in this case be and the same is hereby affirmed with costs. — Feby 12th

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44 John Patrick vs Archibald Wiggins Joseph Desha, Thomas Marshall, Humphrey Marshall, & Alexander Marshalls Exrs of Thos Marshall deceased. — The Plaintiff being solemnly called and not appearing. It was ordered that the appeal in this case be and the same is hereby dismissed. — Feby 12th

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45 Jose Antonio Aidal Ag Pasqual vs The Hija Junta Central alias Busch. — Juan De Dios Amador Claimant — The Plaintiff being called and not appearing It is ordered, that the appeal in this case be and the same is hereby dismissed. — Feby 12th.

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46 Diego Murphy, Vice Consul of Spain vs The Indagadora. Juan de Dios Amador Claimant — The plaintiff being called & not appearing. It is ordered that the appeal in this case be and the same is hereby dismissed — Feby 12th.

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47 David Edwards on behalf of himself and other owners officers and crew of the Private armed Schooner Cadet. vs The Private armed Brigantine Paul Jones, John Hilton and other owners officers and crew. — This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Massachusetts, and the further proof filed in the cause, and was argued by Counsel, on consideration whereof, It is decreed and ordered, that the decree of the Circuit Court be and the same is hereby reversed and annulled; and this Court proceeding to pass such decree, as the said Circuit Court should have passed. It is further decreed and

ordered, that the Schooner Mary, her tackle &c and Cargo, in the proceedings mentioned, be condemned as lawful prize of war, to the said David Colwell and others, owners officers and crew of the Private armed Schooner Cadet, and it is further ordered, that the said cause be remanded to the said Circuit Court for the purpose of ascertaining reasonable damages in favour of the said David Colwell and others, for detaining the said prize vessel in safety and forwarding her in a more secure harbour than that for which she was sailing when seized by the Capt Jones, after it is certainly a case for damages this Court is of opinion that the damages should be moderate

Judge Story did not sit in the cause

The Ship Friendship and Cargo &c &c
Ferkins and others Claimants
vs
The United States

This cause came on to be heard on the Transcript of the Records of the Circuit Court for the District of Pennsylvania, and the further proofs filed in the cause and was argued by Counsel, on consideration whereof, It is Decreed and ordered, that the Sentence of the said Circuit Court in this cause be and the same is hereby affirmed with costs. — July 11th

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Robert Crawley &c. This cause came on to be heard on the Transcript of the
vs Record and was argued by Counsel, on consideration whereof
John C. Brooks It is adjudged and Ordered, That the Judgment of the
Circuit Court for the District of Columbia in the County of Alexandria
in this Case be and the same is hereby affirmed with costs — July 9th

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The Brig Harvey Hide: Johns This cause came on to be heard on the Transcript of the Record and was argued by the
vs Attorney & the Claimants on the part of the Defendants,
The United States on consideration whereof It is Decreed and
Ordered, that the decree of the Circuit Court for the District of
New York in this cause be and the same is hereby affirmed with costs
July 15th

Part of the Cargo of the Brig Marguerite Hide: Johns. By consent of parties by their Counsel, It is
Stephen Cleaves Claimant ordered, that the appeal in this cause be &
vs the same is hereby dismissed agreed —
The United States July 20th.

Part of the Cargo of the Brig Marguerite Alias Paloma Stephen Glover Claimant

vs

The United States

By consent of parties by their Counsel it is ordered that the appeal in this case be and the same is hereby dismissed Agreed - Feby 20th

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Matthias Ely vs Lynde Walter

This cause came on to be heard on the Transcript of the Records of the Supreme Judicial Court of the Commonwealth of Massachusetts, and was argued by Counsel on consideration whereof. This Court is of opinion that there is error in the opinion and instructions given to the Jury in said cause by the said Supreme Judicial Court of the Commonwealth of Massachusetts: It is therefore adjudged and ordered, That the Judgment of the said Supreme Judicial Court in this case be and the same is hereby reversed and annulled and it is further ordered that the said cause be remanded to the said Supreme Judicial Court of Massachusetts with directions to issue a venire facias de novo. Feby 21st.

Judge Story did not sit in this cause.

Henry Pinpont, Henry P Sumner and Hugh Pitcher Partners trading under the firm of Henry Pinpont & Co

vs

Cornelius Coolidge Francis Johonnot Otis partners trading under the firm of Cornelius Coolidge and Company

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged and ordered that the Judgment of the Circuit Court for the District of Massachusetts in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court Feby 21st

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Neal Ins Co

vs

Frederick L C Amelung and Sophia his wife administratrix of Albert Seekamp dec'd

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged and ordered,

that the Judgment of the said Circuit Court for the District of Virginia in the said case be reversed and annulled with costs, and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court. — July 22d

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The United States
vs
George Hadfield

Upon the question in this cause ordered to be heard, on which the opinion of the Judges of the Circuit Court for the District of Vermont were opposed (viz.) whether firing fat corn, peas, oats and beans be articles of provision or munitions of war; and whether drawing firing fat corn, peas, oats and beans be a transportation thereof within the true intent and meaning of the act of Congress in force at the time of the offence charged in the indictment in this cause to have been committed. It is ordered to be certified to the said Circuit Court as the opinion of this Court, that firing fat corn, peas, oats and beans are articles of provision and munitions of war; but that the drawing of firing fat corn, peas, oats and beans on foot is not a transportation thereof within the true intent & meaning of the act of Congress in force at the time when the offence (as in the indictment is charged to have been committed. July 26th.

William Duvall
vs
John Craig & the Heirs & administrators of Robert Jenkins dec'd.

This cause came on to be heard on the Transcript of the record of the Circuit Court for the District of Kentucky and was argued by Counsel, on consideration whereof. It is ordered that the judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled, and it is further ordered that the said cause be remanded to the said Circuit Court with directions to enter judgment for the Plaintiff on the Defendants demurrer, and to have such further and other proceedings as are according to law July 29th.

Abdemon Harvie
vs
John Harvie, Edwin Harvie
Gabriella Rochenborough, Augustine Harvie & Julia Ann Harvie Heirs of John Harvie deceased.

On motion of the Defendants by their Counsel, It is ordered, that the writ of error in this case be and the same is hereby dismissed with costs. it being a case in equity on which a writ of error does not lie to this

Judgments and Decrees

February Term 1815

Margaret Hamilton & Sir Shepherd and Elizabeth Mathias Exrs. } vs. } Richard I. Napier

In error and by consent of parties by their Counsel, It is ordered that the writ of error in this case be and the same is hereby dismissed

March 1st

The Cargo of the Schooner Dos Hermanos Basil Queen Claimt. } vs. } Thomas Shields and others

This cause came on to be heard on the Transcript of the record and was argued by Counsel on consideration whereof It is decreed and ordered that the Decree of the District Court of the United States for the District of Louisiana condemning that part of the Cargo of the Schooner Dos Hermanos claimed by Basil Queen as good and lawful prize &c and the same is hereby affirmed with costs and damages at the rate of six per centum per annum on the amount of the proceeds of the said Cargo delivered to the said Basil Queen or his agents or attorneys.

March 3d

The Brig William King John Le Roy & Co. Claimt. } vs. } The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is Decreed and ordered that the Decree of the Circuit for the District of New York in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum, upon the appraised value of the said Brig &c.

March 6th

Griffith & Rutherford } vs. } Nathaniel W. Greene, Louisiana Greene, Catherine Miller, Henry Turner, and Martha his wife and Edward St. Littlefield & Caroline his wife

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof the Decree of the Circuit Court for the District of West Tennessee be and the same is hereby affirmed with costs

March 6th

William Malcomb Master &c of the Private armed Schooner Washington
vs
The Brigantine Sandoff and Cargo Claimants

This cause came on to be heard on the Transcript of the Record and the further proof in the cause and was argued by Counsel, on consideration whereof It is Decreed and ordered, that the Decree of the Circuit Court for the District of Massachusetts so far as the said Brigantine Sandoff and Cargo is condemned to the United States, be and the same is hereby reversed and annulled; and this Court proceeding to pass such decree as the said Circuit Court should have passed; It is further decreed and ordered, that the said Brigantine Sandoff and Cargo and the same is hereby condemned as prize of war to the Captors to be distributed according to Law. — March 4th.

William Malcomb et alias Master &c of the private armed Schooner Washington
vs
The Schooner Bethuna & Cargo United States Claimants

This cause came on to be heard on the Transcript of the record and the further proof in the cause and was argued by Counsel, on consideration whereof It is Decreed and ordered, that the Decree of the Circuit Court for the District of Massachusetts so far as the said Brigantine Sandoff and Cargo is condemned to the United States, be and the same is hereby reversed and annulled; and this Court proceeding to pass such Decree as the said Circuit Court should have done, It is further Decreed and ordered, that the said Brigantine Sandoff and Cargo and the same is hereby condemned as prize of war to the Captors to be distributed according to Law. — March 4th

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Alexander Thompson and others Commander owners officers & crew of the Private armed Schooner Hiddas
vs
The Ships Pizarro and Cargo Robertson & George Claimants

This cause came on to be heard on the Transcript of the Record & was argued by Counsel, on consideration whereof, It is Decreed and ordered that the decree of the Circuit Court for the District of Georgia in this case be and the same is hereby affirmed

Thomas Fairfax Executor of Bryan Fairfax deceased
Charles J. Catlett & Ann his wife

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is decreed and ordered that the decree of the Circuit Court for the District of Columbia in the County of Alexandria in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest, on the amount of the decree of the said Circuit Court. March 5th

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Charles J. Catlett and Ann his wife
vs
Thomas Fairfax Executor of Bryan Fairfax deceased

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is decreed and ordered and ordered, that the decree of the Circuit Court for the District of Columbia in the County of Alexandria in this case be and the same is hereby affirmed with costs. March 5th

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Dave Johnsons
vs
James Pannells
William Roberts and Ann his wife
James Smith and Elizabeth his wife
Joseph Pannells and Mott & Pannells heirs of David Pannell dec'd

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is decreed and ordered, that the decree of the Circuit Court for the District of Kentucky in this case be and the same is hereby affirmed with costs. March 6th

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Charles Morgans
vs
John Morgan, David Morgan, James Morgan, Simon Morgans, Mooney Morgan, Sarah Morgan, William Faulkner, and Elizabeth his wife and Henry Allen and Mary his wife

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is decreed and ordered that the decree of the Circuit Court for the District of Kentucky in this case be and the same is hereby reversed and annulled, and this Court proceeding to pass such decree as the said Circuit Court should have passed. It is further Decreed and ordered, that the bill of the complainants be dismissed with costs but without prejudice to the complainant to prosecute any claim which he may have at Law

February Term 1817

Laban Shipp. Jacob Myers
Enoch Wright, Alex.r Wright
William Bildridge Samuel
Black, William Black, Isaiah
Miller, John Daniel Morris, James
William Gibbs, Joseph Gibbs
James Hughes, Mabel M. Brannham and Nicolas Laremore ---

against

Samuel Miller, John Lewis, and Rachel his wife, James Miller, Thomas Moffett and Hannah his wife, John Estill and Martha his wife and Harvey Maulsby ---

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is Decreed and ordered, That the Decree of the Circuit Court for the District of Kentucky in this case be and the same is hereby affirmed with costs. - - - -

March 11th

George Hunter and Charlotte his wife, Benjamin Bryant and Debby Hunter ---

vs

Thomas B. Bryant.

This cause came on to be heard on the Transcript of the Record, and was argued by Counsel, on consideration whereof It is ordered, adjudged and Decreed, that the Decree of the Circuit Court for the District of Pennsylvania in this case be reversed and annulled and this Court doth decree, 1st That the complainant Thomas B. Bryant is entitled to receive of the estate of Andrew Hunter the sum of five thousand dollars with interest thereon at six per centum per annum from the day of the death of the said Andrew. 2nd That the Defendant George Hunter do pay to the complainant in the Court below the balance in his hands of money of the estate of the said Andrew with interest at the same rate from the day it was demanded by the said complainant. 3rd That the complainant after giving credit for the sum that shall be thus paid him by the said Complainant and all other sums received by the said Margaret in her life or the complainant since her death from or on account of the estate of the said Andrew, as well as the value of any part of the personal estate of the said Andrew's estate which may have come to their or either of their hands according to the date of such receipts shall have the aid of the said Circuit Court to compel these Defendants to cause by sale (if such recourse for that purpose) of their respective shares of the real

Judgments & Decrees

February Term 1817

estate of the said Andrew descended to them five sixths of the balance that shall be computed to be due on the said bond calculated as above directed. and lastly that the cause be remanded to the said Circuit Court for further proceedings.

March 12th

Newleigh Colston &c. vs. George Thomas &c.

This cause came on to be heard on the Transcript of the record and was argued by Counsel, on consideration whereof. It is decreed and ordered, that the Decree of the Circuit Court for the District of Kentucky in this case be and the same is hereby reversed and annulled. and this Court proceeding to pass such Decree as the said Circuit Court should have passed. It is further decreed and ordered, that the Bill of the complainant be dismissed with costs.

March 12th

John Liter pens. John Liter Junr. Lewis Liter, Abram Liter, Henry Liter, Elizabeth Lidich Richard & Adelia Matthews Fuller, Ralph Jacoby, John Wells, Saml Kaca, Frederick Snider & Jno Buchannan — against — John Green

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is adjudged and ordered that the Judgment of the Circuit Court for the District of Kentucky in this case be and the same is hereby affirmed with costs.

March 13th.

Abram Inglis vs. Cornelius Coolidge

This cause came on to be heard on the Transcript of the Record of the Supreme Court of the Commonwealth of Massachusetts. and was argued by Counsel, on consideration whereof It is adjudged and ordered, that the writ of error in this case be and the same is hereby dismissed. It not appearing on the face of the record that this Court has Jurisdiction in said cause.

March 13th.

Robert Pattison vs. Isaac Wilkins Hollingsworth

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is adjudged and ordered, that the Judgment of the Circuit Court for the District of Maryland in this case be and the same is hereby reversed and annulled. there not being any sum of money

for which the said Judgment is given, and it is further ordered that the said cause be remanded to the said Circuit Court with direction to issue a venire facias de novo. — March 13th

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Robert Patterson & } This cause came on to be heard on the Transcript of
vs } the record and was argued by Counsel, on consid-
The United States } eration whereof all is adjudged and ordered that
the Judgment of the Circuit Court for the District of Maryland
in this cause be and the same is hereby reversed and annulled and
it is further ordered that the said cause be remanded to the
said Circuit Court with direction to issue a venire facias de novo

March 11th.

Thomas Lewis and Alt. } Upon the question on this cause on which the
vs } Judges of the Circuit Court for the District
Hawleigh Cabell } of Kentucky were divided in opinion touch-
ing the Court taking Jurisdiction because the grants for the land
in controversy lying in Kentucky were issued the one from the
State of Virginia and the other from the State of Kentucky when
both grants purport to be founded upon warrants and locations
made under the authority of the laws of Virginia. It is ordered
to be certified to the said Circuit Court for the District of
Kentucky, at the request of the said that that Court may
take Jurisdiction of a cause arising out of a conflict of grants
issued the one by the State of Kentucky and the other by the
State of Virginia although both grants purport to be founded
upon warrants and locations made under the authority of the
laws of Virginia. — March 11th.

John C. St Clair

vs

Richard Penn Lessee of
Anthony Fauntin Clair
Matthew Richard Annaly
wife, Matthew Thirsond &
Maria his wife & Maria-
ret &c. } This cause came on to be heard on the
Transcript of the Record and was argued
by Counsel, on consideration whereof,
all is adjudged and ordered, that the
Judgment of the Circuit Court for the
District of Pennsylvania be and the same is
hereby affirmed with costs.

March 11th

Judgments & Decrees

Thomas Fairfax & others
vs
Charles I Catlett & wife

By consent it is ordered that the writ of error in this case be and the same is hereby dismissed with costs. — March 14

Peter Isaac Thelusson, George de Thelusson, Charles Thelusson & William Mitchell, trading under the firm of Thelusson Brothers & Company
against
John Smith

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged & ordered that the Judgment of the Circuit Court for the District of Pennsylvania in this case be and the same is hereby affirmed with costs. — March 15th

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David Lenox, Elias Boudinot, Robert Smith, Thomas C Fisher, Joseph Semmes, Archibald McCall, Paul Sieman, Saml Beales, Henry Pratt, George Fox, Pascal Hollingsworth, John Hille Thomas M Willing, Horace Binney, George Stanrison, Abijah Hammond, William Bayard, and Oliver Wolcott
against
John Roberts

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia, in the County of Alexandria and was argued by Counsel, on consideration whereof this Court is of opinion that the Decree of the Circuit Court dismissing the Bill of the complainants is erroneous, and ought to be reversed, which is ordered accordingly. And this Court doth remand the cause to the Circuit Court with directions to order an account to be taken and in the said account to charge the said Defendant with those moles on which it shall be proved that demand was made on the notice according to the usage of the Bank and that notice of his failure to pay was put into the post office in time to go by the mail the day after such demand and failure to pay. — March 15th

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Peter Cardlow & Francis Gerault, trading under the firm of Peter Cardlow and Company
vs
Hector M Regan

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel, on

Judgment & Decree

February Term 1815

consideration whereof this Court is of opinion that there is error in the proceedings and Judgment of the said District Court in this that the Judge of the said Court charged the Jury to find for the Plaintiff absolutely instead of charging the Jury to find for the Plaintiff unless they should be of opinion on the evidence that he had said or done any thing which might deserve an injury on the Defendant, wherefore it is considered by this Court that the said Judgment be reversed and annulled and the cause remanded to the said District Court that further proceedings be had therein according to Law. ... March 15

March Bills of Exception Caused Robert Young, Seth Lord and James Saunderson ... Pltfs

vs

George Miles, Colin Miles & Henry Dooley ... Defts

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is decreed and ordered that the decree of the Circuit Court for the District of Maryland in this cause be and the same is hereby reversed and annulled; and it is further ordered that the said cause be remanded to the said Circuit Court with directions to reverse the sentence of the District Court and to direct commissioners to ascertain the amount of damages sustained by the libellants, in losing value of the vessels and the former part of the Cargo with the charges and the premium of Insurance where it has been paid with interest, can be allowed out of the Decree must be had for the amount of the proceeds of the Sloop Maria and Cargo unless the libellants make claim to abandon their proceeds to the Defendants. ... thereof with

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John Hodges ... Pltf

vs

John Pennels Claimt of the Schooner Eleanor & Cargo ... Deft

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania and was argued by Counsel, on consideration whereof it is decreed and ordered that the Sentence of the Circuit Court

February Term 1817

in this case be and the same is hereby reversed and annulled; and this Court proceeding to pass such Decree as the said Circuit Court should have passed. It is further decreed and ordered that the Libel of the said Claimant be dismissed.

March 15th.

Henry & Dehaven and others of the female armed Corps the Fly

vs

The Schooner George and Cargo United States Claimants

This cause came on to be heard on the Transcript of the Record and the further proof in the cause and was argued by Counsel, on consideration whereof It is decreed and ordered that the decree of the Circuit Court for the District of Massachusetts in this case be and the same is hereby affirmed with costs.

March 15th.

The President and Directors of the Roman Bank of Geo. Town.

vs

John Laird

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel, on consideration whereof It is decreed and ordered, that the Decree of the said Circuit Court in this case be and the same is hereby reversed and annulled, and this Court proceeding to pass such decree, as the said Circuit Court should have passed, it is further decreed and ordered, That the Bill of the Complainant be dismissed

March 15th.

The United States } This cause came on to be heard on the Transcript
vs. } of the Record of the Circuit Court for the District
Abraham Forbes } of Pennsylvania and was argued by the Attorney
General, on consideration whereof. It is ordered that the writ of
error in this cause be and the same is hereby dismissed, it not appear-
ing that this Court has Jurisdiction in said cause. — March 15th.

William Tudor one of } This cause came on to be heard on the Tran-
the Heirs & Judicial Lands } -script of the Record of the Circuit Court
vs. } for the District of Columbia in the County
The Marine Insurance } of Alexandria and was argued by Counsel, on consideration whereof. It is decreed
Company of Alexandria. } and ordered, that the Decree of the said Circuit Court in this cause be and the same is hereby reversed and annulled; and it is further ordered, that the said cause be remanded to the said Circuit Court, with directions, that the parties be at liberty to amend the pleadings — ... — ... — ... — ... March 15th.

Christopher Fahnestock } On the petition in this cause on which the
vs. } Opinion of the Judges of the Circuit Court
Hamet Hylton } for the District of Columbia in the County
of Alexandria were opposed. It is ordered to be certified to the said Circuit Court that this petition is well brought, and that Judgment ought to be rendered upon the demurrer in favour of the Plaintiffs. — ... — March 15th.

The United States } On motion of the Plaintiffs by their Counsel, it is
vs. } ordered that the writ of error in this be and the
Jacob Barker } same is hereby dismissed. — ... — March 15th.

The United States } On motion of the Plaintiffs by their Counsel, it is
vs. } ordered that the writ of error in this be and
Abraham Barker } the same is hereby dismissed. — ... March 15th.

Judgments & Decrees — February Term 1817.

114 — The United States vs Frederick DeFeysler — on motion of the Plaintiffs by their Counsel, it is ordered, that the writ of error in this be and the same is hereby dismissed. March 15th

115 — The United States vs Jacob Barber — on motion of the Plaintiffs by their Counsel, it is ordered, that the writ of error in this be and the same is hereby dismissed. March 15th

116 — The United States vs Philip & William & Thomas Barber — on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th

117 — The United States vs Abraham Barber — on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th

118 — The United States vs Jacob Barber — on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th.

119 — The United States vs Isabel Downe — on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th.

120 — The United States vs Philip & William & Thomas Barber — on motion of the Plaintiffs by their Counsel it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th.

121 — The United States vs Jacob Barber — on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th

February Term 1819

122 The United States — Benjamin G Swinburn & John G Champlin — Dismissed

on motion of the Plaintiffs by their Counsel it is ordered that the writ of error in this cause and the same is hereby dismissed. March 15th

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123 The United States — Henry Post Junr & Nathaniel G Swinburn — Dismissed

on motion of the Plaintiffs by their Counsel, it is ordered, that the writ of error in this be and the same is hereby dismissed. March 15th

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124 The United States — Jacob Barker — Dismissed

on motion of the Plaintiffs by their Counsel it is ordered, that the writ of error in this be and the same is hereby dismissed. March 15th

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125 The United States — Filz G Walcott & Thomas Barker — Dismissed

on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th

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126 The United States — John L. Kenner — Dismissed

on motion of the Plaintiffs by their Counsel, it is ordered, that the writ of error in this be and the same is hereby dismissed. March 15th

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127 The United States — John L. Sanderdy & Joseph Grinnell — Dismissed

on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th

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128 The United States — Benjamin G Swinburn & John G Champlin — Dismissed

on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th

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129 The United States — Robert Boone. — Dismissed

on motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. March 15th

Judgments & Decrees — February Term 1847

130 — The United States vs Henry King and John P. Crumford — Error — On motion of the Plaintiffs by their Counsel, it is ordered, that the writ of error in this be and the same is hereby dismissed. — March 15th

131 — The United States vs Benjamin G. Abraham & John G. Champlin — Error — On motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. — March 15th

132 — The United States vs Thomas Eddy. — Error — On motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be and the same is hereby dismissed. — March 15th

133 — The United States vs Henry Ford Jun. & Nath. G. Ingraham — Error — On motion of the Plaintiffs by their Counsel, it is ordered that the writ of error in this be & the same is hereby dismissed. — March 15th

147 — Peter Fishers & others against The Ships Sybil & Cargo James Scott & others Claimants — Appeal — On motion of the Defendants by their Counsel and on examination of the Records. It is ordered that the writ of error in this case be and the same is hereby dismissed with costs. The cause having been improperly brought up by writ of error. It is further ordered that the appellants have leave to withdraw the record. — March 15th.

At a Supreme Court of the United States begun and held at the City of Washington on the first Monday being the second day of February in the year one thousand eight hundred and eighteen

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd and
Joseph Story
} Associate Justices

William Scott Esq^r appeared in Court and produced Letters patent from the President of the United States dated the 18th day of May 1817 appointing him Attorney General of the United States whereupon he was sworn and took his seat at the Bar

Then being no causes ready for trial the Court adjourned till tomorrow morning 11 Oclock

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Tuesday February 3^d 1818

The Court adjourned met according to adjournment

Present The Hon^ble John Marshall Chief Justice
" Bushrod Washington
" William Johnson
" Brockholst Livingston
" Thomas Todd
" Gabriel Duvall and
" Joseph Story
} Associate Justices

After receiving several motions The Court adjourned till tomorrow morning 11 Oclock

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Wednesday February 4th 1818

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
} Associate Justices

John Hare
Daniel Hagner
} Assignees } This cause was argued by Mr Taylor for the Plaintiffs and by Mr Swann for the Defendant

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Elliot & Bissell
The Union Ins^ce Company
} This cause was argued by Mr Harper for the Plaintiffs and by Mr Jones for the Defendants

The Court adjourned till tomorrow

Thursday February 5th 1818

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

51 Puncheons of rum &c
The United States
} This Cause was argued by Mr Ogden for the Plff and by Mr Baldwin and Mr Hopkinson for the Defendants

The Court adjourned till tomorrow morning 11 oClock

Friday February 6th 1818.

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

51 Puncheons of rum &c
The United States
} Mr Ogden concluded the argument in this case

The Court adjourned till tomorrow morning 11 oClock

Saturday February 7th 1818

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The United States
The Schooner Hope
} By consent of parties by their Counsel it is ordered that a Commission issue to take the depositions of witnesses on either side, the order not to be a reason for the discontinuance of the cause

The Court adjourned till Mondays morning 11 oClock

February Term 1810

Monday February 9th 1810.

The Court met according to adjournment.

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story } Associate Justices

Paul Lamson
Jacob Barker } This cause was argued by Mr Pendleton for the Plff and by Mr Sewall for the Defendant.

The Court adjourned till tomorrow morning 11 oClock

Tuesday February 10th 1810

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story } Associate Justices

Paul Lamson
Jacob Barker } This cause was further argued by Mr Ingersoll for the Plff and by Mr Ogden for the Plaintiff in Error

The Court adjourned till tomorrow morning 11 oClock

Wednesday February 11th 1810

The Court met according to adjournment.

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story } Associate Justices

The Ship Star

Charles Dickenson & Alexr Hammond
Samuel Taylor and al
Privateer Surprise } This cause was argued by Mr Key and Mr Sewall for the Plaintiffs and by Mr Rawle and Mr Sharpe for the Defendants.

February Term 1810

William H Wolf } This cause was argued by Mr Key for the Plaintiff
Thomas Tarlton } and by Mr Law for the Defendant

The Court adjourned till tomorrow morning 11 Oclock

Thursday February 12th 1810

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
} Associate Justices

Henry Hughes use of
Noah Talcott } This cause was argued by Mr Harper
The Union Insurance } and Mr Ogden for the Plaintiff and by
Comp'y of Maryland } Mr Winder & Mr Jones for the Defendant

William Swann } This cause was argued by Mr Harper for
The Union Insurance } the Plaintiff and by Mr Winder for the Defendant
Comp'y of Maryland }

The Court adjourned till tomorrow morning 11 Oclock

Friday February 13th 1810

The Court met according to adjournment

Present The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
} Associate Justices

James Clarke Exr
of the United States } This cause was argued by Mr Winder and Mr Ogden for the Plff and by the Attorney Genl for the Defendants

The Court adjourned till tomorrow morning 11 Oclock

February Term 1816.

Saturday February 17th 1816.

The Court met according to adjournment

Present the Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Ship Caledonian
Robert Dickey Claimt
vs
The United States
} This cause was argued by Mr Ogden for the Plaintiff and by the Attorney General for the Defendant

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The United States
vs
William Bevans
} This cause was argued by Mr Webster for the Defendant and by Mr Wheaton for the Plff

The Court adjourned till tomorrow morning 11 Oclock

Monday February 19th 1816
The Court met according to adjournment

Present the Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Robert Trimble
Joseph Story
} Associate Justices

The United States
vs
William Bevans
} This cause was further argued by the Attorney General for the Plaintiffs and by Mr Webster for the Defendant.

R D Marshall & Thomby
vs
Wade Hampton
} This cause was opened by Mr Sewall for the Plaintiffs, no person appearing for the Defendant

The Court adjourned till tomorrow morning 11 Oclock

February Term 1810

Tuesday February 17th 1810

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story
} Associate Justices

William Robinson — } This cause was argued by Mr Law for
& Wm Gray late Sheriff &c — } the Pl.ffs and by Mr Swift for the
Defendant.

The Court adjourned till tomorrow morning 11 oClock

Wednesday February 18th 1810

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Brig Eolus and Cargo
Thos T Williams Claimant } This cause was argued by Mr Ogden &
Mr Wheaton for the Claimant and by
The United States — } Mr Preble and the attorney General
for the Defendants.

The Court adjourned till tomorrow morning 11 oClock

Thursday February 19th 1810

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

After pronouncing several Judgments there being no business ready for hearing the Court adjourned till tomorrow morning 11 oClock.

Friday February 20th 1810.

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story } Associate Justices

Ph Nicholas Attorney Genl of Virginia
Thomas Craig and others } This cause was argued by Mr Nicholas for the Plaintiff and by Mr Cochran for the Defendants

The Court adjourned till tomorrow morning 11 Oclock.

Saturday February 21st 1810.

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story } Associate Justices

Ph Nicholas Atty Genl of Virginia
Thomas Craig & others } This cause was further argued by Mr Cochran for the Defendants

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Baldwin and Schenck
Gould Craig & others } This cause was argued by Mr Baldwin for the Plaintiffs and by Mr Ogden for the Defendants

The Court adjourned till Monday Morning 11 Oclock

Monday February 23d 1818

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Joseph Story
} Associate Justices

Gelston and Schenck
Gold & Hoyt
} This cause was further argued by Mr. Jones for the Defendant and by Mr. Baldwin for the Plaintiffs

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J B Blakely and ats.
vs
The Cargo of the Adelante
} This cause was opened by Mr. Berrien for the Adelante

The Court adjourned till tomorrow morning 11 Oclock.

Tuesday February 24th 1818

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Joseph Story
} Associate Justices

J B Blakely and ats.
vs
The Cargo of the Adelante
} This cause was further argued by Mr. Sergeant for the Claimant and by the Attorney General for the Plff.

The Court adjourned till tomorrow morning 11 Oclock

Wednesday February 25th 1818

The Court met according to adjournment.

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Joseph Story
} Associate Justices

February Term 1810.

The Baptist Association } This cause was argued by Mr. Swift
Silas Clarke Exec^r } for the Plaintiffs and by Mr Leigh
for the Defendants.

The Court adjourned till tomorrow morning 11 Oclock.

Thursday February 8th 1810.

The Court met pursuant to adjournment.

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson.
Brockholst Livingston } Associate
Thomas Todd. } Justices
Gabriel Duvall }
Joseph Story }

The Ships Neptune
Maxwell & Ogden Claimts } This cause was argued by Mr Jones
and Mr Ogden for the Claimants and by
the United States } the Attorney Genl for the Defendants.

Olivers Exors } This cause was argued by Mr Jones for
Stone Exors } the Plaintiff and by Mr Sergeant for the Defts.

The Court adjourned till tomorrow morning 11 Oclock.

Friday February 9th 1810.

The Court met pursuant to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate
Thomas Todd. } Justices
Gabriel Duvall
Joseph Story

Oliver Exors } This cause was further argued by Mr Sergeant &
Stone Exors } Dexter Clarke for the Defendant and by Mr Hopkinson
for the Plaintiff

The Court adjourned till tomorrow morning 11 Oclock.

February Term 1810

Saturday February 24th 1810

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
William Johnson
Bushrod Washington
Thomas Todd
Gabriel Duvall &
Joseph Story — } Associate Justices

Robert Ewer Houston &
Daniel Moore } This cause was opened by Mr Hopkins.

The Court adjourned till Monday morning 11 o'Clock.

Monday March 2^d 1810.

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
Thomas Todd.
Gabriel Duvall &
Joseph Story — } Associate Justices

The United States
The Schooner Hope &c
Jno L Brewster Claim^t } This cause was argued by Mr Baldwin for the Plaintiffs and by Mr Ogden for the Defendants

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Robert Barlow Esq^r
Jacob Williams Esq^r } This cause was opened by Mr Harper for the Plaintiffs

The Court adjourned till tomorrow morning 11 o'Clock

Tuesday March 3^d 1810

The Court met according to adjournment

Present The Hon^ble John Marshall Chief Justice
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story — } Associate Justices

February Term 1810

Robert Burton Lessee } This cause was further argued by Mr Campbell
Jacob Levi Ames Plff } for the Plaintiff and by Mr Swann for the
Defendants

Bennett Jackson } This cause was argued by Mr Talbot for the
James M Burney } Plff and by Mr Swann for the Defendant
The Court adjourned till tomorrow morning 11 oClock

Wednesday March 7th 1810

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate
Thomas Todd } Justices
Gabriel Duvall and
Joseph Story

The Baptist Association } This cause was further argued by Mr
Silas Hinde Exr } Swann for the Plaintiffs
The Court adjourned till tomorrow morning 11 oClock

Friday March 9th 1810

The Court met pursuant to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate
Thomas Todd } Justices
Gabriel Duvall
Joseph Story

The Ship Ann & Cargo
Richd Soole Claimant } This cause was argued by Mr Harper for
} Plaintiff and by Mr Winder and Mr
The Privateer Lilla } Ogden for the Defendant

The Court adjourned till tomorrow morning 11 oClock

February Term 1810

Friday March 6th 1810

The Court met according to adjournment —

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story — Associate Justices

George W. Biddle admr &c
Sarah Smith and
Francis Brinley } This cause was argued by Mr Key for the Plaintiffs and by Mr Hunter for the Defendants.

John Somerville's Exec^r —
John Hamilton — } This cause was argued by Mr Harper for the Plff —

The Court adjourned till tomorrow morning 11 O'Clock

Saturday March 7th 1810

The Court met according to adjournment.

Present The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story — Associate Justices

David Lenox & ads
William Prout } This cause was argued by Mr Key for the Plaintiffs. — and by Mr Law and Mr Jones for the Defendant. —

The Court adjourned till Monday morning 11 O'Clock.

February Term 1818

Monday March 9th 1818

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
William Johnson
Brockholst Livingston
Gabriel Duvall and
Joseph Story

Associate Justices

Peter Joseph Munnell Esqr. —
Peleg Sprague & Mr Webster.

This cause was argued by Mr Sprague and Mr Sergeant for the Plaintiffs and by Mr Ogden for the Defendant.

The Court adjourned till to morrow morning 11 O'Clock.

Tuesday March 10th 1818

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story

Associate Justices

The Trustees of Dartmouth College —
William Woodward.

This cause was argued by Mr Webster for the Plaintiffs and by Mr Holmes for the Defendant

The Court adjourned till tomorrow morning 11 O'Clock.

Wednesday March 11th 1818

The Court met according to adjournment

Present The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall and
Joseph Story

Associate Justices

The Trustees of Dartmouth College
vs
William Woodward

This cause was further argued by Mr Holmes and Mr Webster for the Defendant.

The Court adjourned till tomorrow morning 11 o'Clock

Thursday March 12th 1818

The Court met according to adjournment

Present. The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Trustees of Dartmouth College
vs
William Woodward

This cause was further argued by Webster for the Defendant and by Hopkins for the Plaintiffs

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The United States
vs
John Palmer Holbrook

This cause was opened by Mr Blake for the Plff

The Court adjourned till tomorrow morning 11 o'Clock.

Friday March 13th 1818

The Court met according to adjournment.

Present. The Hon^ble John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

John Ann^e Jones Lepine
vs
Gotthier Joseph Lafolley

This cause was argued by Mr Swann and Mr Campbell for the Plff and by Mr Hallam for the Defendant.

The Court adjourned till tomorrow morning 11 o'Clock.

February Termination

Saturday March 12th 1814

The Court met according to adjournment

Present The Honble John Marshall Chief Justice
Bushrod Washington
Thomas Todd and
Gabriel Duvall
} Associate Justices

It is ordered that the Marshall on the order of the Circuit Court of Baltimore and others, and containing the other cases upon the Docket, the Court adjourned, till the Court in course

Judgments & Decrees — February Term 1818

The United States / Edwin L Harris — on the question in this cause from the Circuit Court of the District of West Tennessee whether the Marshalls should be commanded to pay the charges of the Witnesses of the said Edwin L Harris, upon which the Judges of the said Circuit Court were divided in opinion. It is ordered to be certified to the said Circuit Court, that the Marshalls should not be commanded to pay the charges of the Witnesses of the said Edwin L Harris. — Tuesday July 3d

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10. Archibald J. Bullock / Benjamin A White Exr of Edward White — The Plaintiff in this cause being solemnly called and not appearing. It is ordered that the Writ of error in this be and the same is hereby dismissed with costs. July 3d

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13. The King Schooner & Cargo. R Jones Claimant / Alexander Thomson & others Owners of the Private armed Vessel the Florida — It is ordered & Decreed that the Decree of this Circuit Court for the District of Georgia in this case be and the same is hereby affirmed with costs. July 3d

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9. The Letter of Marque Brig Expedition Nicols Master & the Claimants / The Schooner Adeline & Cargo James Catlett & others Claimts — It is ordered by the Court that this cause be entered "Dismissed with costs" agreed July 4th

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32. William Campbell / State of Tennessee — The Plaintiff in this case being solemnly called and not appearing, It is ordered that the appeal in this case be and the same is hereby dismissed with costs. July 5th.

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34. James Jackson Exdem The People of the State of new York / George Clark — This cause came on to be heard on the Transcript of the Record, on consideration whereof, It is adjudged and ordered that the Judgment of the Circuit Court for the Southern Circuit of the District of New York in this case, be & the same is hereby affirmed with costs.

Hunsdale Cranch Solomon
vs.
The U.S. Executor of Thomas
John Calhoun & Walter Clements

This cause came on to be heard on the Transcript of the Records and the further proof in the cause and was argued by Counsel on consideration whereof, It is Decreed and Ordered that the sentence made Decree of the Circuit Court for the District of Said Carolina in this cause except as to the claim of Thomas Swann be and the same is hereby affirmed with Costs — Friday 6th.

Samuel Griffith
vs.
Cornelius Coolidge & Francis A Oliver

Ordered in this cause that the Judgment of the Circuit Court for the District of Maryland be and the same is hereby affirmed with costs and damages at the rate of two per centum per annum including Interest on the Amount of the Judgment of the said Circuit Court. Friday 6th inst

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The King Franklin Shaw & Luther Smith & Plaintiffs
Smith Claimants
vs.
The United States

The President of the United States having remitted the interest of the United States in this case, and William Selby the Collector of the Port and District of Newport had himself and the other officers of the Customs interested in said case; in so far as they are concerned, having agreed not to prosecute said cause, any further proceedings, no costs are awarded against them by the Claimants and provided also that the Defendant Court grant a certificate of probable cause of seizure, and the claimants having agreed that pay costs, shall be discharged according to said terms; It is therefore by consent of parties, Ordered, that the said cause be reheard upon according to said terms Friday 6th.

John Mc Jones Executor of
vs.
Daniel Steiger, John Steiger
and George Steiger

The cause came to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof the Court is of opinion that there is no error in the Decree of the said Circuit Court, as directs the Defendants in that Court to pay

Judgments & Decrees

February Term 1818

to the complainants the right title and interest of Josiah Nelson to the Lands in the Bill mentioned and doth remise the same. and this Court proceeding to pass such decree as the Circuit Court should have passed is of opinion that the Contract of the 23rd of December 1790 in the Bill mentioned is obligatory on the parties thereto and those claiming under them and ought now to be carried into execution for which purpose Commissioners may be named in conformity with the said Contract; and if the said John McIver shall refuse or neglect to name a Commissioner on his part, then such Commissioner may be named by the Court. and the cause is remanded to the said Circuit Court to be further proceeded in according to the directions of this Decree. — — —

Six per centum per annum including interest on the sum of $5100 the amount of the agreed value of the fifty one hundredth of sixty and thirteen barrels of lime. — — — — Feby 10th

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19 The United States — — }
The Schooner San Pedro &c. Cargo. Peter L Lay Claimant }

This cause came on to be heard on the Transcript of the Record of the Supreme Court of the Mississippi Territory for Washington District, and was argued by Counsel, on consideration whereof It is decreed and ordered that the Decree of the ~~Circuit~~ Court dismissing the libel in said cause be and the same is hereby affirmed, and that the said Schooner San Pedro and Cargo be restored to the Claimant. It is further ordered so be certified, that there was probable cause of seizure Feby 10th

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5 The Brig Samuel and Cargo Colin Pierce & John Brooks Claimants — — }
The United States — — }

This cause came on to be heard on the Transcript of the Record and the further proof in the cause, and was argued by Counsel on consideration whereof It is Decreed and ordered that the decree of the Circuit Court for the District of Rhode Island, forfeiting the said Brig Samuel & eighty pieces of canvas part of the cargo thereof to the libellants be and the same is hereby reversed and annulled, and the Court proceeding to pass such decree as the said Circuit Court should have passed, It is further Decreed & ordered, that the libel in said case be dismissed and that the said Brig Samuel her tackle apparel furniture & cargo be restored to the Claimants — — — — — — Feby 10th

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22 John W Eelbeck and John M Kraft }
The Marine Insurance Company }

By consent of parties It is ordered that the record of errors in the case be and the same is hereby dismissed Feby 10th

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23 John W Eelbeck & John M Kraft }
The Marine Insurance Company }

By consent of parties It is Ordered that the record of errors in this case be and the same is hereby dismissed Feby 10th

Judgments and Decrees

February Term 1813

76 The United States
vs
Nathaniel Briggs & Barge
Thomas Merrills Claimt

In this case it is agreed by and between the parties, heard by the Attorney General for and in behalf of the United States, by William Wirt for and in behalf of custom house officers, and by Thomas Merrill for and in behalf of the owners of the said Vessel and Cargo, and by leave of the Court, that the decree of the Circuit Court shall be reversed, and that the said Vessel and Cargo shall be condemned & decreed forfeit to the use as by law provided, and that on the bond given in this case by the appraised value of said Vessel and Cargo, Judgment shall be rendered in the foregoing Court, for twelve thousand dollars together with the amount of costs by law taxable in this prosecution and no more; which twelve thousand dollars shall be taken and deemed to be the true value of said Vessel and Cargo, any valuation in said bond mentioned and recited to the contrary notwithstanding — Feby 12th

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92 John Hopkins
vs
Richard Blandford

On motion of the Defendant by his counsel It is ordered that the writ of error in this case be and the same is hereby dismissed with costs — Feby 13th

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51 The United States for the Use of George Barnes Claimant
vs
Urbanus Cartois

By consent of parties by their counsel. It is ordered, that the Decree of the Circuit Court for the District of Maryland in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Decree of the said Circuit Court the said damages to commence from the date of the Decree of the said District Court — Feby 14th.

The State Mary
Charles Dickinson & Others
Executors of Isaac Hazlehurst
deceased Claimants

35 The Owners Officers & crew of
the Sarah versus Schooner
the Surprize

This cause came on to be heard on the
Transcript of the Record and was argued
by Counsel, on consideration whereof,
It is decreed and ordered, that the
Decree of the Circuit Court for the
District of this State in this case be
and the same is hereby affirmed
with costs. Feby 16th.

Pend Lamspee & This cause came on to be heard on the Transcript
47 Jacob Barker & of the Record and was argued by Counsel, on
consideration whereof, It is the opinion of this
Court, that the Circuit Court for the District of New York
erred in instructing the Jury that the matters given in evidence
as aforesaid were not sufficient to entitle the Defendant to
credit for any damages and that the said Jury ought to find a
verdict for the Defendant It is therefore adjudged and ordered that
the Judgment of the said Circuit Court in this case be and
the same is hereby reversed and annulled and it is further ordered
that the said cause be remanded to the said Circuit Court
with directions, to issue a venire facias de novo Feby 7th

Henry Hughes for the use of
Noah Talcott

39 The Union Insurance Company
of Maryland

This cause came on to be heard on the
Transcript of the Record and was
argued by Counsel, and was argued
by Counsel, on consideration whereof,
It is the opinion of this Court, that
the said Circuit Court erred in in-
structing the Jury that there was a deviation in this case which
discharged the Insurers from all subsequent responsibility. It is
therefore adjudged and ordered that the Judgment of the said
Circuit Court in this case be and the same is hereby reversed,
and annulled: and it is further ordered that the said cause
be remanded to the said Circuit Court with directions to
issue a venire facias de novo. Feby 18th

Judgments & Decrees

William Swann — The Union Insurance Compy. of Maryland

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged and ordered, that the Judgment of the Circuit Court for the District of Maryland in this case be and the same is hereby affirmed with costs. — Feby 19th —

The Polacre Brig Nuestra Senora de Regla an Cargo Scandalosa Violetta in behalf of the Mexican Government Claimant

vs

Diego Inciefsky Vice Consul of Spain

on motion of the Defendant by his Counsel, the appellants in this case being called, and not appearing, It is adjud that the appeal be and the same is hereby dismissed with costs. — Feby 19th

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Cumberland Dugan and Paul Bentalou Exrs of James Clark deceased

vs

The United States.

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is adjudged & ordered: that the Judgment of the Circuit Court for the District of Baltimore in this case be and the same is hereby affirmed with costs, and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court — Feby 19th.

Cumberland Dugan and Paul Bentalou Exrs of James Clark deceased

vs

The United States.

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged and ordered, that the Judgment of the Circuit Court for the District of Baltimore in this case be and the same is hereby affirmed with costs, and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court. — Feby 19th

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Fedo Rivera and Manuel Santa ... vs ... The Union Insurance Company of Maryland

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is the opinion of the Court that the Circuit Court erred in the instructions given to the Jury, that there was a deviation which discharged the underwriters. ... Feby 19th.

It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled, and it is further decreed that the said cause be remanded to the said Circuit Court with directions to issue a venire facias de novo ...

Regin D Shepherd and James H Shepherd trading under the firm of R D Shepherd and Company ... vs ... Wade Hampton

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on the part of the appellants on consideration whereof, It is adjudged & ordered that the Judgment of the District Court of the United States for the District of Louisiana in this case be and the same is hereby affirmed with Costs. ... Feby 19th

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Robert Dalton Jones ... vs ... Henry Thickstun

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia in the County of Alexandria in this case be and the same is hereby affirmed with costs. ... Feby 19th

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The United States ... vs ... William Evans

From the questions in this cause which was certified to this Court from the Circuit Court for the District of Massachusetts and upon which question, the Judges of the said Circuit Court were opposed in opinion. The Court are of opinion, that the offence charged in the Indictment, and committed on board the Public Ship of War the Independance, is not within the Jurisdiction

Judgment & Decree

or cognizance of the said Circuit Court all which is ordered to be certified to said Circuit Court. Feby 21st —.

William Robison — This cause came on to be heard on the
13 Timothy Tuttle Lessee Transcript of the Record and was argued by
of Arthur Campbell. Counsel on consideration whereof It is ad-
judged and ordered, that the Judgment of
the said Circuit Court for the District of East Tennessee in this
case be and the same is hereby affirmed with costs
Feby 24th

Jedathiel Martin & This cause came on to be heard on the
Hidiah Martin — Transcript of the Record and was
14 vs argued by Counsel on consideration
Timothy Tuttle Lessee of whereof, It is adjudged and ordered, that
Arthur Campbell. the Judgment of the said Circuit Court
for the District of East Tennessee in this case be and the same
is hereby affirmed with costs Feby 24th

John Dunlop & Comby This cause came on to be heard on the
64 William Hepburn Transcript of the Record & was argued
the heirs & executors of by Counsel, on consideration whereof,
John Dundas Dec^d. It is decreed and ordered, that the
decree of the Circuit Court for the Dis-
trict of Columbia in the County of Alexandria be and
the same is hereby affirmed with costs.
Feby 24th

The United States This cause came on to be heard on the
73 vs Transcript of the Record and was argued
Wm Clippon Surv^r for by Counsel on consideration whereof
Ward Chipman It is decreed and ordered, that the
Decree of the District Court for the
District of Louisiana in this case be and the same is
hereby affirmed. Feby 24th.

Decree Concluded

Lewis Compton
vs
Jesse Beard's Executors

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged and ordered that the Judgment of the Circuit Court for the District of Kentucky in this cause be and the same is hereby affirmed with costs. July 25th

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Lewis Craig & Wm Pike
vs
William Bradford

75

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is Decreed and ordered, that the Decree of the Circuit Court for the District of Kentucky in this cause be and the same is hereby affirmed with costs. July 25th

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The Ship Fortuna and Cargo
vs
The Private armed Schooner Rogers

97

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is decreed & ordered, that the Decree of the Circuit Court for the District of South Carolina in this case, condemning the said Ship Fortuna and Cargo to the Libellants be and the same is hereby affirmed with costs, and damages at the rate of six per centum per annum including interest, on the amount of the appraised value of said Ship Fortuna and Cargo. July 26th

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David Gelston and
Peter L. Schenck.
vs
Gould Hoyt.

This cause came on to be heard on the Transcript of the Records of Justices of the Supreme Court of Judicature of the people of the State of New York reserved with the Writ of error issued in this case and was argued by Counsel on consideration whereof. It is adjudged and ordered, that this Court having the powers of revising by writ of error the Judgment of the highest Court of law in any State, in the cases specified in the Act of Congress in such case and provided at any time within five Years from the rendition of the Judgment in the said Courts have a power to bring before them the record of any such Judgment on writs from the highest Court of law

in any State, or from any Court be which the Record of the said Judgment may have been remitted and may be found when the writ of error from this Court is issued. and the Court therefore in virtue of the writ of error in this cause do proceed and take cognizance of this cause upon the Transcript of the Record now remaining in the Supreme Court of Judicature of the people of the State of New York and they do hereby adjudge and order that the Judgment of the Court for the trial of Impeachments and correction of errors in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum on the amount of the Judgment of the said Court for the trial of Impeachments and correction of errors of the State of New York to be computed from the time of the rendition of the Judgment of the said Court for the trial of Impeachment & correction of errors of the State of New York. Feby 27th.

The Brig Eolus & Cargo, Thomas Williams Claimant, vs The United States — Appeal.

This cause came on to be heard on the Transcript of the Record and the proof on the same and was argued by Counsel, on consideration whereof it is ordered that the decree of the Circuit Court for the District of Pennsylvania by which the said Brig Eolus and Cargo was decreed to be forfeited to the United States be and the same is hereby affirmed with costs. Feby 27th.

Robert McClanahan, Daniel Moore — Error.

This cause came on to be heard on the Transcript of the Record of the Supreme Court of the Commonwealth of Pennsylvania for the Lancaster District on examination whereof. It is adjudged and ordered that the writ of error in this case be and the same is hereby dismissed this Court not having Jurisdiction in said cause, there not having been a final Judgment in said suit, in the said Supreme Court of the Commonwealth of Pennsylv: March 2d

February Term 1818.

The United States — Appeal from the Circuit Court for the District of Maryland.
The Cargo &c of the Alalanta vs.
Silas Pratt Claimant

The Court in this case requires further proof. which the Appellant is allowed to produce to the following points.

1st As to his property interest in the Cargo to show how and when it was purchased.

2nd To produce his correspondence with Barclay Salkield & Co. if any respecting this voyage.

3rd To explain the circumstances relative to the original destination to Pensacola when the Alalanta sailed from Liverpool.

4th To explain the character of the Pilot, and his situation on board the Alalanta.

5th To establish the genuineness of the letter of the 16th of August and say by what vessel it was sent.

6th To show to whom that part of the Cargo of the Alalanta on the voyage from Liverpool to Providence which belonged to Barclay Salkield & Company was consigned and how it was disposed of.

7th To produce copies of the letters of Barclay Salkield & Company relative to the transaction to account for their non production.

March 11th

The Ship Anna & Cargo
Richard Scott Claimant
vs.
The Private armed Schooner
Rebecca Tillou.
James Wadleton Commander

53

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is decreed and ordered, that the decree of the Circuit Court for the District of Maryland in this cause be and the same is hereby affirmed with costs.

March 11th

Daniel Jackson
vs
James Barnes

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is adjudged & ordered, that the Judgment of the Circuit Court for the District of Kentucky in this cause be and the same is hereby affirmed with costs

March 11th

Judgments and Decrees } February Term 1810.

Oliver Evans & Isaac Eaton } this cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania and was argued by Counsel, on consideration whereof this Court is of opinion that there is error in the proceedings of the said Circuit Court in this, that the said Court rejected testimony which ought to have been admitted, and also in this that on the charge delivered to the Jury, the opinion is expressed that the patent on which this suit was instituted conveyed to Oliver Evans an exclusive right to his improvement in manufacturing flour & meal, produced by the general combination of all his machinery and not to his improvements in the several machines applied to that purpose, and also, that the said Oliver Evans was not entitled to recover of the Hopper boy in his declaration mentioned had been in use previous to his alledged discovery, Therefore it is considered by this Court that the Judgment of the Circuit Court be reversed and annulled, and that the cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

March 7th

Charles Bowerman et al. } this cause came on to be heard on
vs
John Mc Roberts - - } the Statement of facts contained in the Record and on the questions on which the opinion of the Judges of the Circuit Court were opposed, and which were therefore at the request of one of the parties adjourned to this Court, and was argued by Counsel on consideration whereof this Court doth order it to be certified to the Circuit Court of the United States for the District of Kentucky

March 7th

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but that in this case the Court has not power over its decree so as to set the same aside on motion after the expiration of the

February Term 1818

Term in which it was rendered. —

2nd Consequently such powers cannot be exercised after the lapse of five years. —

3rd If a joint interest vested in Commons and the other defendants the Court had no jurisdiction over the cause. If a distinct interest vested in Commons so that substantial justice so far as he was interested could be done without affecting the other defendants the jurisdiction of the Court might be exercised to him alone. —

John Doe. Lessee of
Robert Burlone —
37 Jacob Cardwell
Samuel Bowen.
Bailey Peebleman
Benjamin Sebastian &
Joseph B Porter

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged and ordered that the Judgment of the Circuit Court for the District of West Tennessee in this case be and the same is hereby affirmed with costs. March 9th

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John Doe on the demise devised
of Mary Bowen and others —
57 Richard Roe, John Bakers
William Bakers Edmon Bakers
Austin Bakers Seyton Bakers
Jonathan Bakers & Thomas Darden —
Tenants in possession

This cause came on to be heard on the Special Verdict contained in the Record, on which the opinions of the Judges of the Circuit Court for the District of Georgia were opposed, on consideration whereof It is the opinion of this Court that to give a sensible construction to the act of Limitations of the State of Georgia passed 21st of March 1807 by mentioned in the Special Verdict, the words "beyond seas" must be held to be equivalent to without the limits of the State, and that the case of the Plaintiff is excepted from the operation of that Statute, also which is ordered to be certified to said Circuit Court.

March 9th

February Term 1819

Judgment by Decree

David Lenox & others
vs
William Grant

This cause came on to be heard on the transcript of the Record and was argued by Counsel on consideration whereof, It is decreed and ordered that the decree of the Circuit Court for the District of Columbia in the County of Washington in this case be & the same is hereby reversed and annulled and this Court proceeding to pass such decree as the said Circuit Court should have passed It is further ordered that the said cause be remanded to the said Circuit Court with directions to dismiss the Bill of complaintants with the costs in the said Circuit Court — March 9th

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Peter Joseph Minault & others
vs
Edward Schenck and Charles Lee Clerk.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of New York and was argued by Counsel, on consideration whereof It is ordered and decreed that in addition to the sums allowed by the Circuit Court to the said Peter Joseph Minault the owners of the said Schooner Amiable Nancy there be allowed and paid by the Respondents to the said Minault the further sums of seven hundred & seventy four dollars and twenty one cents with interest at six per cent on the same sum from the fifteenth day of November A.D. 1810 to the day of the rendition of this decree being the sum of one hundred and fifty four dollars and nineteen cents in the whole principal and interest amounting to the sums of nine hundred and twenty eight dollars and forty cents and that the libellants have & recover their reasonable costs as well in the Circuit Court as in the District Court and it is further ordered and decreed that the decree of the Circuit Court so far as it is inconsistent with this decree be and hereby is reversed, and in all other respects be and hereby is affirmed — March 11th

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Thomas Young
vs
John Leslie & al.
and
Philip N. Nicholas etc.
Counsel of Youngs
vs
Thomas Young & others

This cause came on to be heard on the question contained in the Transcript of the Record of the Circuit Court for the District of Georgia, on which question the opinions of the Judges of the said Circuit Court were opposed and which was certified to this Court Court whether the legacy given to Thomas Young in the will of Robert Young is to be considered as a devise which he can take only for the benefit of the Commonwealth and cannot hold, or a bequest of a personal chattle which he could take for his own benefit That Court is of opinion that the legacy given to Thomas Young in the will of Robert Young is to be considered as a bequest of personal estate which he is capable of taking for his own benefit. All which is ordered to be certified to said Circuit Court

March 11th

The Mutual Assurance Society
vs
Isaac Winstead & Co

By consent of parties by their Counsel, and leave of the Court, It is ordered that this cause be and the same is hereby dismissed.

March 12th

Thomas Biddle admr of
&c vs Biddle deceased
vs
Jacob Smith

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof. It is adjudged and ordered. that the Judge ment of the Circuit Court for the District of Rhode Island in this case be and the same is hereby affirmed with costs

March 12th

The United States
vs
The Delaware Breakwater
Jonathan L Brewster Claim't

This cause came on to be heard on the Transcript of the Record and was argued by Counsel. on consideration whereof. It is decreed and ordered, that the Decree of the Circuit Court for the District of New York in this case be and the same is hereby affirmed.

March 12th

52 & February Term 1818

Judgments & Decrees

63 Lewis Hampton & David Blowers & This cause came on to be heard on the Transcript of the Record and was argued by the Appellants Counsel, on consideration whereof, It is adjudged and ordered that the Judgment of the District Court for the District of Louisiana in this case be and the same is hereby affirmed with costs and damages on the amount of the Judgment of the said District Court at the rate of six per centum per annum including interest. March 12th

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51 The Ship Neptune Edward & Ogden Claimt & The United States & This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is decreed and ordered that the decree of the District Court of Louisiana in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum, including interest on the amount of the appraised value of said Ship Neptune to be computed from the date of the Decree of the said District Court March 13th

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The Cargo of the Ship London Packet Don I Stoughtons Spanish Consul Claimant & The Private Cargo Henry Power Commander & By consent of parties by their Counsel, It is ordered that in pursuance of an order of further proof, that a commission issue in this case to Thomas Williamson, the Consul of the United States Gabriel Shaw and William Murdoch of London or either of them to take depositions. March 13th

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6th February Term 1818

The United States

90 John Palmer, Thomas Jackson, & Barney Gallaghan

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts and on the questions on which the Judges of that Court were divided and was argued by Counsel, on the part of the United States, on consideration whereof this Court is of opinion that a robbery committed on the high seas, although such robbery if committed on lands would not by the laws of the United States be punishable with death, is piracy under the 8th Section of the act entitled "An act for the punishment of certain crimes against the United States" and that the Circuit Court of the United States have Jurisdiction thereof, and that the crime of robbery as mentioned in the said act of Congress is the crime of robbery as recognized and defined at Common Law. ——— ———

The Court is further of opinion that the crime of robbery committed by a person on the high seas, on board of any ship or vessel belonging exclusively to subjects of a foreign State; or persons on board a vessel belonging also exclusively to subjects of a foreign State is not piracy within the true intent and meaning of the act entitled "An act for the punishment of certain crimes against the United States, and is not punishable in the Courts of the United States ——— ———

The Court is further of opinion that when a civil war rages in a foreign nation, one part of which separates itself from the old established Government and erects itself into a distinct Government the Courts of the former must view such newly constituted Government as it is viewed by the Legislative and Executive Departments of the Government of the United States. If the Government of the former remain neutral, but recognize the existence of a civil war, the Courts of the former cannot consider as criminal those acts of hostility which were authorized, and which the new Government may direct against its enemy. In General the same testimony which would be sufficient to prove that a vessel or person in the service of one acknowledged State, must be admitted to prove that a vessel or person in the service of such newly created Government. No seal

cannot be allowed to prove itself, but may be proved by such testimony as the nature of the case admits, and the fact that a letter or package is in the service of such Communication may be established otherwise, should it be impracticable to prove the seal.

All which is ordered to be certified to the Circuit Court of the United States for the District of Massachusetts.

At a Supreme Court of the United States began and holden at the City of Washington on the first Monday being the first day of February in the year of our Lord One thousand eight hundred and nineteen

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story

The Court adjourned till tomorrow Morning 11 Oclock

Tuesday February 9th 1819

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story

Daniel Coit Fathers vs Walter Simmes Esqr } This Cause was argued by Mr Jones for the Plaintiffs -

Thatcher & Lance vs The Exors of William Powell and others } This Cause was argued by Mr Swann for the Defendants -

Henry Williams & Thomas Patterson vs Francis Peyton's Exors } This Cause was argued by Mr Jones & Mr Talbot for the Plaintiffs and by Mr Taylor for the Defendants -

Wednesday February 3d 1819

The Court met according to adjournment

Present

The Honorable
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
Special Justices

Richard Peters & Others
vs
Thomas W. Peyton

This Cause was argued by Mr Swann for the Plaintiffs and by Mr Jones for the Defendant

The Court adjourned till tomorrow morning 11. Oclock

Thursday February 4th 1819

The Court met according to adjournment

Present

The Honorable
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
Special Justices

The Brig Divina Pastora & Cargo
A. Kelly Claimt
vs
Don Juan Staughton
Spanish Counsel

This Cause was argued by Mr Winder for the Plaintiff and by Mr Webster & Mr Fay for the Defendant

The United States
vs
Haviland & Allen

This Cause was argued by the Attorney General for the Plaintiff and by Mr Jones for the Defendant

The Court adjourned till tomorrow morning 11 oclock

Friday February 5th 1819

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

John Vaughan vs Elias B Caldwell

This Cause was argued by Mr Jones and Mr Key for the plaintiff and by Mr Caldwell for the defendant

The Court adjourned till to morrow morning 11 O'clock.

Saturday February 6th 1819

The Court met according to adjournment

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Oliver Evans vs George Phillips

This Cause was argued by Mr Key for the plaintiff and by Mr Jones for the defendant

The Court adjourned till Monday Morning 11 O'clock

Monday February 9th 1819-

The Court met according to adjournment

Present

The Honorable
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Josiah Sturgis
vs
Richard Crowninshield

This cause was argued by Mr Taggett for the plaintiff and by Mr Hunter for the defendant -

The Court adjourned till tomorrow morning 11 Oclock

Tuesday February 9th 1819-

The Court met according to adjournment -

Present

The Honorable
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Josiah Sturgis
vs
Richard Crowninshield

This cause was further argued by Mr Ogden for the defendant and by Hopkinson for the plaintiff

The Court adjourned till tomorrow morning 11 Oclock

Wednesday February 10th 1819

The Court met according to adjournment

Present

The Honorable
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Thos Bullard
Samuel Bell
} The cause was argued by Mr Pinkney for the plaintiff and by Mr Hubbler for the defendant

The Court adjourned till to morrow morning 11 Oclock

Thursday February 11th 1819

The Court met according to adjournment

Present

The Honorable
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Thos Bullard
Samuel Bell
} The argument in this cause was concluded by Mr Pinkney.

Robert Barr
The Life" of Lemon
gratz & others
} This cause was opened by Mr Prindle.

The Court adjourned till tomorrow morning 11 Oclock

Friday February 12th 1819.

The Court met according to adjournment

Present

The Honorable — John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Robert Barr
vs
The Bishop of Limerick
} This cause was further argued by Talbot and Mr Sergeant for the defendants and by Mr Emmet for the Plaintiff.

The Court adjourned till to morrow morning 11. Oclock

Saturday February 13th 1819.

The Court met according to adjournment

Present

The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Samuel Brown & others
vs
Jno Gilman
} This cause was argued by Mr Jones for the Plaintiffs and by Mr Emmet for the Defendant.

The Court adjourned till Monday morning 11. Oclock

Monday February 15th 1819.

The Court met according to adjournment—

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story

Samuel Brown & others } This cause was further argued by
vs. } Mr. Clay and Mr. Hunt for the defendant
Mary Gilman }

The Court adjourned till tomorrow Morning 11. O'Clock

Tuesday February 16th 1819.

The Court met according to adjournment—

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston } Associate Justices
Gabriel Duvall
Joseph Story

Samuel Brown & others } This cause was further argued by
vs. } Mr. Hunt for the defendant and by
Mary Gilman } Mr. Webster for the plaintiffs. —

Francis Depau &c. } This cause was opened by Mr. Ingersoll
vs. } for the defendant.
Lewis Dow }

The Court adjourned till tomorrow Morning 11. O'Clock

Wednesday February 17th 1819.

The Court met according to adjournment.

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Ebenezer Elliason vs. Levy Mayer Newhaven — This cause was argued by Mr. Key and Mr. Jones for the Plaintiff and by Mr. Pinkney for the Defendant.

The Bank of Columbia vs. John Peck — This cause was argued by Mr. Key for the plaintiff and by Mr. Jones for the Defendant.

The Court adjourned till tomorrow Morning 11 Oclock

Thursday February 18th 1819.

The Court met according to adjournment.

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

John McMillan vs. John P. McNeil — This cause was argued by Mr. Ingersoll for the Plaintiff.

Thursday February 18th 1819

Benjamin G. Orr
vs
William Hodgson Jr Exrs

This Cause was argued by Mr Jones for the Defendants.

The Schooner Estrella & Cargo
J. F. Fernandez Claimt
vs
Gaspard Hernandez

This cause opened by Mr Ingersoll.

The Court adjourned till tomorrow Morning 11 Oclock

Friday February 19th 1819

The Court met according to adjournment.

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

The United States
vs
Kenny & Rice

This Cause was argued by the Attorney General for the Plaintiffs & by Mr Webster for the Defendant

The Schooner Two Friends
vs
The United States

This Cause was argued by Mr Ingersoll for the Plaintiff and by the Attorney General for the Defendants.

The Court adjourned till tomorrow Morning 11 Oclock

Saturday February 20th 1819.

The Court met according to adjournment

Present

John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

The Schooner Estrella Hugo
W. P. Zamorano Claimt
Jaspard Fernandez
} This Cause was further argued by Mr Sergeant for the defendant and by Mr Ingersoll for the Claimant

The Court adjourned till Monday Morning 11 O'Clock

Monday February 22nd 1819.

The Court met according to adjournment

Present

John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

James M. McCulloch
The State of Maryland
} This Cause was argued by Mr Webster for the Plaintiff and by Mr Hopkinson for the defendant

The Court adjourned till to morrow Morning 11 O'Clock

Tuesday February 8th 1819.

The Court met according to adjournment

Present

The Hon.ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

James M.c Culloch
vs
The State of Maryland
} This cause was further argued by Mr. Hopkinson

The Court adjourned till to morrow morning 11. O'Clock

Wednesday February 9th 1819.

The Court met according to adjournment

Present

The Hon.ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

James M.c Culloch
vs
The State of Maryland
} This cause was further argued by Mr. Wirt for the Plaintiff and by Mr. Jones for the Defendant.

The Court adjourned till to morrow Morning 11. O'Clock

Thursday February 23d 1816

The Court met according to adjournment

Present

The Honble
John Marshall Chief Judge
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

James M. McCulloch
vs.
The State of Maryland
} This cause was further argued by Mr Jones & Mr Martin for the Defendant.

The Court adjourned till tomorrow Morning 11 Oclock

Friday February 24th 19

The Court met according to adjournment

Present

The Honble
John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Johnson
} Associate Justices

James M. McCulloch
vs.
The State of Maryland
} This cause was further argued by Mr Martin.

The Court adjourned till to morrow Morning 11 Oclock

Saturday February 27th 1819

The Court met according to adjournment

Present

The Hon.ble John Marshall, Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall &
Joseph Story

James M.c Culloch
vs
The State of Maryland

This Cause was further argued by M.r Martin.—

The Court adjourned till Monday Morning 11. O Clock

Monday March 1st 1819

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall &
Joseph Story
} Associate Justices

James M.c Culloch
vs
The State of Maryland

The Cause was further argued by M.r Pinkney for the plaintiff in Error

The Court adjourned till tomorrow Morning 11 O'clock

Tuesday March 2d 1819.

The Court met according to adjournment.

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
Special Justices

James M.c M.cCulloch
The State of Maryland

This Cause was further argued by Mr. Pinkney

The Court adjourned till to morrow Morning 11. o.Clock.

Wednesday March 3d 1819

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
Special Justices

James M. M.cCulloch
The State of Maryland

The argument in this Case was Concluded by Mr. Pinkney.

The Court adjourned till to morrow Morning 11. o.Clock

Thursday March 4th 1819.

The Court met according to Adjournment

Present

John	Marshall	Chief Justice
Bushrod	Washington	
William	Johnson	
Brockholst	Livingston	Associate Justices
Gabriel	Duvall	
Joseph	Story	

The Kentucky

162 Bags of Coffee
James Whelan
Claimant
vs
The United States

Feby Term 1815 No 11
On Motion of Mr Ingersoll on the part of the United States, rule to shew cause why this cause should not be struck out on the argument List for hearing as far as respects the claim of James Whelan.
(See docket Feby Term 1815. No 11)

John McTeers Lessee
vs
Walker & Lapsley

This cause was argued by Mr Hopkinson & Mr Swann for the plaintiff and by Mr Williams for the defendants

Robert W. Houston
vs
Daniel Moore

This cause was opened by Mr Hopkinson for the plaintiff

The Court adjourned till tomorrow morning 11. o'Clock

Friday March 5th 1819

The Court met according to adjournment

Present

John	Marshall	Chief Justice
Bushrod	Washington	
William	Johnson	
Brockholst	Livingston	Associate Justices
Gabriel	Duvall	
Joseph	Story	

The Kentucky

Robert W. Houston
vs
Daniel Moore

This cause was further argued by Mr Hopkinson for the plaintiff & by Mr Rodgers for the defendant

The Court adjourned till tomorrow Morning 11. o'Clock

12

Saturday March 6th 1819.

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
Associate Justices

Francis Marshall
Peter B. Bruerly
This cause was argued by Mr Mut for the plaintiff and by Mr Taylor for the defendant.

Robert W. Haxton
Daniel Moore
This cause was further argued by Mr Ingersoll for the defendant.

The Court adjourned till Monday morning 11 Oclock

Monday March 8th 1819.

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
Associate Justices

Robert W Haxton
Daniel Moore
Mr Hopkinson concluded the argument in this case.

Henry Miller use of
The United States
William Nicholls
This cause was argued by the attorney General for the plaintiff and by Mr Sergeant for the defendant.

Joseph Wheaton
Frances Sexton
This cause was argued by Mr Jones for the plaintiff and by Mr Key for the defendant.

The Court adjourned till tomorrow morning 11 Oclock

Tuesday March 9th 1819

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

The Ship General Smith
M'Culloch & Perkins Claimts
vs
James Ramsay

This cause was argued by Mr Pinkney for the plaintiffs and by Mr Jones for the defendant. cs. cs. cs. cs. cs.

The Depn of John Sergeant and Thomas Biddle
vs
Richard E. Smith & others

This cause was argued by Mr Ingersoll and Mr Martin for the plaintiffs - and by Mr Sergeant and Mr Hopkinson for the defendants. cs. cs. cs. cs.

Leonard M. Leakins
vs
Daniel C. Brent & Wife

This cause was argued by Mr Key for the plaintiff - and by Mr Stone for the defendant.

The Court adjourned till tomorrow morning 11 O'clock

Wednesday March 10th 1819.

The Court met according to adjournment

Present -

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

Duncan McArthur
vs
Isham Broaddus

This cause was argued by Mr Brush and Mr Scott for the plaintiff and by Mr Lowndes and Mr West for the defendant.

The Court adjourned till tomorrow morning 11 O'clock

Thursday March 11th 1819.

The Court met according to adjournment

Present

The Hon^ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

William H. Cleiny
Wyllys Silliman
} This cause was argued by Mr Daddridge and Mr Hunt for the Plaintiff. —

The Court adjourned till tomorrow morning 11 O'clock

Friday March 11th 1819. —

The Court met according to adjournment. —

Present

The Hon^ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
} Associate Justices.

After delivering opinions in several cases, and continuing the remaining case on the docket the Court adjourned to the next term. —

Judgment &
Decree 3

February Term 1819

The Trustees of the Baptist Association & Samuel Jones & others
vs
Alexander Galveston David Stephenson & John Smith Exors of Silas Hart decd -

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Fifth Circuit and the District of Virginia and on the question therein stated on which the Judges of that Court were divided in opinion which was adjourned to this Court & was argued by Counsel on consideration whereof this Court is of opinion that the plaintiffs are incapable of taking the legacy for which this suit was instituted which opinion is ordered to be certified to the said Court. -

Feby 3d

The Palace Bug Divina Pastora & Cargo - Daniel Ilby - Claimt
vs
Don Juan Stoughton Spanish Consul -

This Cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It appearing to the Court that the Libel and ~~proceedings~~ pleadings were such as not to set forth a sufficient ground whereupon to sustain a decree of restitution on motion of the Counsel for the appellee, It is decreed and ordered that the sentence of the Circuit Court of Massachusetts in this case be and the same is hereby reversed and annulled; and it is further ordered, that the said cause be remanded to the said Circuit Court with directions to allow the parties to amend the Libel and pleadings. -

Feby 5th

Henry William & Thomas F. Patterson - -
vs
Frances Peyton & Piper -

This Cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the Circuit Court for the District of Kentucky in this Case be and the same is hereby affirmed with costs. -

Feby 9th

Cornelius P Vanhook
vs
Samuel Buck -

This Cause came on to be heard on the Transcript of the Record on consideration whereof It is adjudged and ordered that the Judgment of the Circuit

Judgments

Court for the District of Decrement in this Case be and the same is hereby affirmed with costs. — Feby 8th

John Weightman
30 vs
Elias B Caldwell

This Cause came on to be heard on the Transcript of the Record and was argued by Counsel on Consideration Whereof It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia in the County of Washington be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of said Circuit Court. — Feby 10th

Oliver Evans
37 vs
George Phillips

This Cause came on to be heard on the Transcript of the Record on Consideration whereof It is adjudged and ordered that the writ of Error in this case be and the same is hereby dismissed with costs the plaintiff having submitted to a Nonsuit in the Circuit Court. — Feby 11th

Thomas R. Keith & others Claimants of the Ship Sybil & Cargo
45 vs
Peter Fisher and others

This Cause came on to be heard on the Transcript of the Record on Consideration thereof It is decreed and ordered that the decree of the Circuit Court of the District of South Carolina in this case be and the same is hereby affirmed with Costs. — Feby 15th

Peter Fisher and others
61 vs
The Ship Sybil and Cargo Thomas R. Keith & others Claimants

This Cause came on to be heard on the Transcript of the Record on Consideration Whereof It is ordered and decreed that the decree of the Circuit Court for the District of South Carolina in this case be and the same is hereby affirmed with costs. — Feby 15th

Decrees

February Term 1819.

The Ship Caledonia
Robert Lecky. Claimt
vs
The United States

This Cause came on to be heard on the Transcript of the Record and the further proof in the Cause and was argued by Counsel on consideration whereof it is decreed and ordered that the Decree of the District Court for the District of Rhode Island in this Cause be and the same is hereby affirmed with Costs.

Feby. 16th

The United States
vs
Joseph Haviland & Jonathan Allen

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Massachusetts, and was argued by Counsel on consideration whereof

this Court is of opinion that the Circuit Court erred in dismissing the Bill of the plaintiffs and that the Decree ought to be reversed and annulled; and it is further ordered that the said Cause be remanded to the said Circuit Court with directions to allow the plaintiffs to amend their Bill and to make new Parties.

Feby. 17th

Josiah Burgess
vs
Richard Crowninshield

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the first Circuit and District of Massachusetts and on the questions on which the Judges of that Court were divided in opinion and was argued by Counsel on consideration whereof this Court is of opinion that since the adoption of the Constitution of the United States a State has authority to pass a Bankrupt Law provided such Law does not impair the obligation of Contracts within the meaning of the Constitution and provided there be no act of Congress in force to establish an uniform system of Bankruptcy conflicting with such Law.—

This Court is further of opinion that the act of New York which is pleaded in this Case, so far as it attempts to discharge the contract on which this suit was instituted, is a law

opposing the objection of contracts within the meaning of the constitution of the United States, and that the plea of the defendant is not a good and sufficient bar of the plaintiffs action. All which is directed to be certified to the said Circuit Court —

Feby. 17th

John Hamlett
48 vs
Lodges & Scott

The plaintiff and the defendant in this case being solemnly called and not appearing. It is ordered that the writ of Error be and the same is hereby dismissed. —

Feby. 17th

John Lee and Executrix of John Finley
vs
Jonathan Anthony, James Mars Lewis Tilson & James Pattison

The plaintiffs and the defendants in this case being solemnly called and not appearing. It is ordered that the writ of Error in this case be and the same is hereby dismissed. —

Feby. 18th

Robert Barr
47 vs
The heirs of Simon Gratz, Hyman Gratz, Joseph Gratz, Jacob Gratz, Benjamin Gratz, Reuben Elting and Frances his wife, Samuel Hays and Rubea his wife, Sarah Gratz, Rebecca Gratz, Reuben Gratz and Solomon Moses and Rachel his wife heirs and representatives of Michael Gratz deceased. —

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is ordered and adjudged that the Judgment of the Circuit Court for the District of Kentucky in this case be and the same is hereby affirmed with costs. —

Feby. 19th

Frances Lespar Lewis & B. Lespar & Thomas H. Lea trading under the firm of Frances Lespar & Company
vs
Lewis Pire

The plaintiffs in this case being solemnly called and not appearing on Motion of defendants Counsel, It is ordered that the writ of Error in this case be and the same is hereby dismissed with costs. —

Feby. 19th

(Record) February Term 1816

Edward Livingston
vs
The Heirs of Francis Xavier Le Breton & Eugenia

The Plaintiff in this case being called on & failing and not appearing by Counsel, & the Defendants Counsel, & it appearing that the writ of Error in this Case be and the same is hereby dismissed with Costs. —

Feby. 1816

Ebenezer Eleazer
vs
Tim Kershaw

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Louisiana & the Circuit of Washington and was argued by Counsel on Consideration Whereof, it is the opinion of the Court that the said Circuit Court erred in not giving the instruction as prayed in the Counsel of the defendants in the said Circuit Court, It is therefore adjudged and ordered that the Judgment of the said Circuit in this Case be and the same is hereby reversed and annulled. And it is further ordered that the said Cause be remanded to the said Circuit Court with directions to award a venire facias de novo —

Feby. 1816

Julian M'Rea
vs
Julian E. Revel

This Cause came on to be heard on the Transcript of the Record of the District Court for the District of Louisiana and was argued by Counsel of the Appellants in Consideration

Whereof it is adjudged and ordered that the Judgment in the said District Court of Louisiana in this Case be and the same is hereby affirmed with costs. —

Feby. 1816 —

James Somerville, George Somerville and Mary Somerville Exors of John Somerville Dec'd Claimants.
vs
John Hamilton

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the District of North Carolina on the points certified to this Court on which the Judges of the said Circuit Court were divided in opinion and was argued by Counsel. In Consideration Whereof, on the first point stated Whether the Plaintiffs were bound to shew that Benjamin Sherrod recovered against Thomas

or the recovery itself was prima facie evidence of the fact.
The Court is divided in opinion —
As to the second point to wit: Whether the title shewn by Thomas B. Hill under Hamilton was not so complete as to prove, that Herrods recovery could not be by title paramount. —
The Court is of opinion that the proof of possession of the land in controversy of Hamilton and others deriving title under him for thirty three years, was presumptive evidence & in the absence of all conflicting evidence to remove the bar, conclusive evidence, that the title of Hill under Hamilton was so complete, that Herrods recovery could not have been by title paramount. —
All which is ordered to be certified to the said Circuit Court.

Feby 21st

65 — The United States vs Henry Rice — This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the Circuit Court for the District of Massachusetts in this case be and the same is hereby affirmed. —

Feby 22d

The President Directors and Company of the Bank of Columbia vs Peter Hagner — This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is ordered by the opinion of this Court that the law on which the summary proceedings in this case are founded is constitutional, and that the Circuit Court of the District has jurisdiction in the case. It is therefore adjudged and ordered, that the Judgment of the Circuit Court for the District of Columbia in the County of Washington in this case be and the same is hereby reversed and annulled. And it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to law.

Feby 22d

The Schooner Mary, and part of her Cargo. Jabez Caughlin Surv. &c. of the Larchmont

vs

The United States

This Cause came on to be heard on the Transcript of the Record and was argued by the Counsel for the Libellants, on consideration whereof, It is decreed and ordered that the Decree of the Circuit Court for the District of Delaware in this Case Condemning the said Schooner Mary her tackle, apparel and furniture and the goods wares and merchandizes part of Cargo Claimed by the said Caughlin, as forfeited pursuant to the act of Congress in such case made and provided, be, and the same is hereby affirmed with costs, and damages at the rate of six per centum per annum including interest on the amount of the appraised value of the property, the same six per cent damages to commence from the date of the decree of Condemnation in the said Circuit Court. —

Feby 22nd

Samuel Brown Thomas
Winthrop Ebenezer Oliver
George Blake Benjamin Jon
Joseph Lovell William Tuttle

vs

Mary Gilman

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof it was decreed and ordered that the decree of the Circuit Court for the District of Massachusetts in this case be and the same is hereby affirmed with costs. —

Feby 24th

The Trustees of Dartmouth College

vs

William H. Woodward

February Term 1818 —
This Cause came on to be heard on the Transcript of the Record and was argued by Counsel, and thereupon all and singular the premises being seen and by the Court now here fully understand, and mature deliberation being thereupon had it

February Term 1819. Judgment

It appears to this court that the said acts of the Legislature of New Hampshire of the twenty seventh of June and of the eighteenth and twenty forth of December Anno Domini Eighteen hundred and fifteen in the Record mentioned are repugnant to the Constitution of the United States and so are void, and therefore that the said Superior Court of Judicature of the State of New Hampshire erred in rendering Judgment on the said special verdict in favor of the said Woodward, that he should recover his costs against the said Plaintiffs, and that the said Court ought to have rendered Judgment thereon that the said Trustees recover against the said Woodward the amount of damages found and assessed in and by the verdict aforesaid, viz, the sum of Five Thousand dollars: Whereupon it is considered, ordered and adjudged by this Court now here that the aforesaid of the said Superior Court of Judicature of the State of New Hampshire be and the same is hereby reversed and annulled: and this Court proceeding to render such judgment in the premises, as the said Superior Court of Judicature ought to have rendered, it is further considered by this Court now here, that the said Trustes of Dartmouth College do recover against the said William H. Woodward the aforesaid sum of Twenty Thousand dollars, with costs of suit. And it is by this Court now here further ordered that a special Mandate do go from this Court to the said Superior Court of Judicature to carry this Judgment into execution.

It is ordered by the Court that the above Judgment be entered nunc pro tunc as of February Term 1818.

Feby. 23rd
" "

Charles Marsh
73 vs
William Nelson
Benj Hutchinson &
Thomas B. Simpson

By Consent of parties by their Counsel ordered
It is that this cause be and the same is hereby remanded to the Circuit Court for the District of New Hampshire for further proceedings to be had therein according to Law. — Feby 25th

Leb Lyman
74 vs
The Trustees of Dartmouth College —

By Consent of parties by their Counsel it is ordered that this cause be and the same is hereby remanded to the Circuit Court for the District of New Hampshire for further proceedings to be had therein according to Law. —
Feby - 25th

Horace Hale
75 vs
Richard Long —

By Consent of parties by their Counsel it is ordered that this cause be and the same is hereby remanded to the Circuit Court for the District of New Hampshire for further proceedings to be had therein according to Law. Feby 25th

Part of the Cargo of the Brig Fairweather Morris
Claimant —
31 vs
The Private Armed Schooner Venus —

This cause came on to be heard on the Transcript of the Record and was argued by Counsel in consideration whereof — It is ordered and decreed that the Decree of the Circuit Court for the District of North Carolina in this case so far as it regards the claim of Francis Joye Morris be & the same is hereby affirmed with costs.
Feby 25th

The Schooner Estrella Largo
A. P. Dameron - Claimt
57 vs
Gaspard Fernandez

This Cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration Whereof It is decreed and ordered that the Decree of the District Court for the District of Louisiana in this case be and the same is hereby affirmed with costs. —

February Term 1819. (Judgments

Henry Astor
vs.
Bazaliel Wells & the
Heirs and Representatives of
Arnold H. Dahman dec'd

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration thereof. It is decreed and ordered, that the decree of the Circuit Court for the District of Ohio in this Case be and the same is hereby affirmed with Costs. March 6th

James W. McCulloch
vs.
The State of Maryland &
John James as well for the
State as for himself

This cause came on to be heard on the Transcript of the Record of the Court of Appeals of the State of Maryland and was argued by Counsel on consideration thereof, It is the opinion of this Court that the act of the Legislature of Maryland intitled "An act to impose a tax on all Banks or Branches thereof in the State of Maryland not chartered by the Legislature" is contrary to the Constitution of the United States and void, and therefore that the said Court of Appeals of the State of Maryland erred in affirming the Judgment of the Baltimore County Court in which Judgment was rendered against James W. McCulloch but that the said Court of Appeals of Maryland ought to have reversed the said Judgment of the said Baltimore County Court and to have given Judgment for the said appellant McCulloch. It is therefore adjudged and ordered, that the said Judgment of the said Court of Appeals of the State of Maryland in this case be and the same is hereby reversed and annulled. and this Court proceeding to render such judgment as the said Court of Appeals should have rendered; It is further adjudged and ordered, that the judgment of the said Baltimore County Court be reversed and annulled, and that Judgment be entered in the said Baltimore County Court for the said James W. McCulloch. —

March 6th

Henry Miller use of
The United States
vs
William Nicholls

This Cause Came on to be heard on the Transcript of the Record of the Supreme Court of the State of Pennsylvania and was argued by Counsel on consideration whereof

It is adjudged and ordered, that the writ of error in this case be and the same is hereby dismissed. — March 9th

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James Williams
vs
The United States

On Motion of the Attorney General It is ordered that the writ of error in this case be and the same is hereby dismissed, the same having been directed to the District Court of Maryland — March 9th

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The Ship General Smith —
John Hollins & James Mc. —
McCulloch — Claimt
vs
James Ramsay

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof It is the opinion of this Court, that the Libellant has no lien upon the said Ship General Smith. It is therefore

decreed and ordered that the decree of the Circuit Court for the District of Maryland in this be and the same is hereby reversed and annulled: And it is further ordered that the said Cause be remanded to the said Circuit Court for further proceedings to be had therein according to law. — March 10th

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The Ship General Smith
John Hollins & James Mc.
McCulloch — Claimt:
vs
Rebecca Cockull admx
of Thomas Cockull dec'd

This Cause on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is the opinion of this Court that the Libellant has no lien upon the said Ship General Smith. It is therefore decreed and ordered, that the decree of the Circuit Court for the District of Maryland in this case be and the same is hereby reversed and annulled and it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein

February Term 1819.

Benjamin G. Orr
vs
William Hodgson and Portia his wife & John Hopkins and Caroline his wife -

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on the part of the defendants, on consideration whereof. It is decreed and ordered that the decree of the Circuit Court for the District of Columbia in the County of Washington in this cause be and the same is hereby affirmed with costs - March 10th

John Chambers & Ux
vs
John Walker and Daniel Lapsley -

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof. It is the opinion of this Court that the Circuit Court erred in the instruction given to the Jury. It is therefore adjudged and ordered that the Judgment of the Circuit Court for the District of East Tennessee in this cause be and the same is hereby reversed and annulled - and it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law. -
March 11th

John Lea & Ux of John McEwen and John Love
vs
Joseph Hixon

This Cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration thereof. It is the opinion of this Court that the Circuit Court erred in the instruction given to the Jury. It is therefore adjudged and ordered that the Judgment of the Circuit Court for the District of East Tennessee in this cause be and the same is hereby reversed and annulled. And it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law. &c. &c.
March 11th

(Decrees) February Term 1819.

Richard Keith & Company and others
vs
Thomas W. Tayloe

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia in the County of Alexandria be and the same is hereby reversed and annulled this not having been joined with all the parties in the said Circuit Court. And it is further ordered, that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to law. March 11th

The Schooner Aris
Peter B. Duplessis Claimt
vs
The United States

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is decreed and ordered that the decree of the Circuit Court for the District of Georgia in this case be and the same is hereby reversed and annulled. And this Court proceeding to pass such decree as the said Court should have passed. It is further decreed and ordered that the property be returned to the Claimant. March 11th

Leonard M. Jenkins
vs
William Brent Junr
Admr of Daniel C. Brent dec'd

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof, It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia in the County of Washington in this case be and the same is hereby affirmed with Costs. March 2d

John Doe on demise of
Andrew Boyd
vs
James Grames & others

This cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof It is adjudged and ordered that the Judgment of the Circuit Court for the District of Kentucky in this case be and the same is hereby affirmed with Costs. March 12th

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February Term, 1819. (Judgments

Theodore Sages Esqrs Executors of the goods taken out of the Custody — vs Pedro Brigman

This Cause came on to be heard on the Transcript of the Record and was argued by Counsels on consideration whereof it is ordered and adjudged that the decree of the Circuit Court for the District of North Carolina in the Cause be and the same is hereby affirmed with Costs.

March 12th

Joseph Wheelon vs Thomas Sexton Defendt

This Cause came on to be heard on the Transcript of the Record and was argued by Counsel on consideration whereof it is the opinion of this Court that the said Circuit Court erred in giving the instructions prayed for by the defendant in error. It is therefore ordered and adjudged that the Judgment of the Circuit Court for the District of Columbia in the County of Washington in this Cause be and the same is hereby reversed and annulled. and it is further ordered that the said Cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law. —

March 12th

The Depts of John Sergeant & Thomas Biddle — vs Richard Smith William Smith and Joseph Delth

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Delaware on the question on which the Judges of the said Circuit Court were opposed in opinion, and was argued by Counsels on consideration whereof it is the opinion of this Court that the depositions taken under the Commission referred to in the Transcript of the Record sent to this Court dated the 31st day of October 1817 ought to be given in evidence to the Jury upon the Trial of the Cause in which they were taken

March 12th

Lessee of M'Arthur
vs.
Latham & Browder

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio and was argued by Counsel on consideration whereof this Court is of opinion that the plaintiff in the Circuit Court had a good title in equity to so much of the land contained in the defendants Patent as is comprehended in the original entry made by George Matthews in September 1799 and also in his amended entry and in his survey; and that the decree of the said Circuit Court dismissing the bill is erroneous, and ought to be reversed, and it is accordingly reversed: And this Court doth further direct and order that the said cause be remanded to the said Circuit Court with directions to enter a decree directing the defendant to convey to the plaintiff so much of the land contained in his patent as is comprehended in the original entry, and also in the amended entry and survey on which the grant of the plaintiff was founded. — March 12th

On the Case of the Diana

Some doubt has arisen on the Construction of the Mandate issued by this Court in this Case at the last term, which will be removed by the following observations — The words "exclusive of interest" are permanent words in the Formula of inserted to intimate that in no case is interest to be charged in addition to the damages given — It becomes necessary to insert these words because in some instances judgments brought up to this Court bearing interest in the Courts below under rules of Practice or Statute Provisions, and in other instances from the nature of the action, or the judgment as in case of debt on a penal bond: And the damages allowed by this Court must always be considered as a percentum for maximum charge, for the power given to this Court is to allow indemnity by way of damages, not by way of interest —

In this case therefore the Mandate will be satisfied

value of the Cargo from the date of the decree in the district Court allowing the duties to be deducted at the time they were actually paid not at the time the Bonds were given —

March 12th

William Thornton vs James Pickens Exor. of John H. Carson dec'd	On motion of the Plaintiffs Counsel in this case, It is ordered that the writ of error in this case be docketed and and dismissed. March 12th
William Thornton vs James Pickens Exor of John H. Carson dec'd	On Motion of the Plaintiffs Counsel in this case, It is ordered that the writ of error in this case be docketed and dismissed. March 12th
William Thornton and Ann Brodeau vs James Pickens Exor of John H. Carson dec'd	On Motion of the Plaintiffs Counsel in this case, It is ordered that the writ of error in this case be docketed and dismissed — March 12th
William Thornton and Ann Brodeau vs James Pickens Exor of John H. Carson dec'd	On Motion of the Plaintiffs Counsel in this case, It is ordered that the writ of error in this case be docketed and dismissed — March 12th

— Fines. —

February Term 1820

At a Supreme Court of the United States begun and holden at the City of Washington on the first Monday being the seventh day of February in the year of our Lord one thousand eight hundred and twenty.

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story } Associate Justices

The Court adjourned till tomorrow morning 11 Oclock

Tuesday February 8th 1820

The Court met according to adjournment

Present -

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story } Associate Justices

David Lane for the plaintiffs in error
vs
Walter Simms - Defendants

This cause was argued by Mr. Jones and Mr. Eaton for the plaintiffs in error and by Mr. Hunt and Mr. Harper for the Defendants - -

The Court adjourned till tomorrow morning 11 Oclock

94 Wednesday February 9th 1820

The Court met according to adjournment.

Present

The Hon'ble. John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Court adjourned till to morrow morning 11 O'Clock.

Thursday February 10th 1820

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

Charles M'Clung vs. Lewis Kip's Lessee } This Cause was argued by Mr. Williams for the Plaintiff and by Mr. Jones and Mr. Mercer for the defendant.

The Court adjourned till to morrow Morning 11 O'Clock

Friday February 11th 1820.

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Cargo of the Ship Venus
vs
The United States

The cause was argued by Mr Harper for the plaintiff and by the attorney general for the defendants -

The Court adjourned till tomorrow Morning 11 Oclock

Saturday February 12th 1820

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Cargo of the Ship Venus
vs
The United States

This cause was further argued by Mr Ogden for the Claimant -

The Court adjourned till Monday Morning 11 Oclock

Monday February 14th 1820

The Court met according to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston Associate Justices
Thomas Todd
Gabriel Duvall &
Joseph Story

The United States vs Thomas Smith — This cause was argued by the attorney General for the plaintiffs —

The United States vs Peter Wiltberger — This cause was argued by Mr^r Ingersoll for the plaintiffs

The Court adjourned till tomorrow morning 11 O'clock

Tuesday February 15th 1820

The Court met according to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston Associate Justices
Thomas Todd
Gabriel Duvall &
Joseph Story

The United States vs Peter Wiltberger — This cause was further argued by Mr^r Ingersoll for the defendant and by the attorney General for the plaintiffs —

Tuesday February 15th 1820

The Cargo of the London Packet
vs
The Fawcetts Owners

Mr Webster Continued
the argument in this case —

The Court adjourned till tomorrow Morning 11 o'Clock

Wednesday February 16th 1820 —

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Assistant Justices

The Cargo of the London Packet
vs
The Fawcetts Owners

This Cause was further argued by Mr. Webster for the plaintiff and by Mr. Oliver and Webster for the defendants. —

The Court adjourned till tomorrow morning 11 o'Clock

Thursday February 17th 1820

The Court met according to adjournment

Present

The Honble: John Marshall, Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Cargo of the London Packet
vs
The Fawcetts Owners

The Cause was further argued by Mr Ogden for the Plaintiff —

18 Thursday February 17th 1820

George Forbes & others } This Cause was argued by Mr Harden
vs } for the plaintiffs and by Mr Trimble
Robert Ramsay & others } for the defendants -

The Court adjourned till to morrow Morning 11 O'Clock

Friday February 18th 1820 -

The Court met according to adjournment

Present

The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
Associate Justices

George Forbes & others } This cause was further argued by
vs } Mr Harden for the plaintiffs -
Robert Ramsay & others }

John Stevenson & others } This cause was argued by Mr Brush
vs } for the plaintiffs and by Mr Southridge
Lucas Sullivant } for the defendant.

The Court adjourned till tomorrow Morning 11 O'Clock.

Saturday February 19th 1820

The Court met according to adjournment

Present

The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
Associate Justices

John Stephenson & others } This cause was further argued by Mr Smith for the defendant.
vs
Lucas Sullivant

The Court adjourned till to Monday Morning 11 O'Clock

Monday February 21st 1820

The Court met according to adjournment

Present

The Hon^ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

John Stephenson vs Lucas Sullivant — This cause was further argued by Mr. Hunt for the plaintiff-defendant and by Mr. Rush for the plaintiffs. —

The United States vs Thomas Smith — This cause was further argued by Mr. Sanders and Mr. Webster for the defendant. —

The Court adjourned till tomorrow morning 11 o'clock

Tuesday February 22d. 1820.

The Court met according to adjournment

Present

The Hon^ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Hon^ble Schuyler Spalding & Cargo vs The Peruvian Boy — Mr Gaston commenced the argument in this case. —

The Court adjourned till tomorrow morning 11 o'clock

Wednesday February 23d 1820

The Court met according to adjournment

Present

The Hon.ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Special Justices

The Ship Amiable Isabella & Cargo vs The Patriotic Roger

This Cause was further argued by Mr Gaston for the plaintiff.

The Court adjourned till tomorrow Morning 11 Oclock

Thursday February 24th 1820

The Court met according to adjournment

Present

The Hon.ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Special Justices

The Ship Amiable Isabella & Cargo vs Patriotic Roger

The Cause was further argued by Mr Wheaton for the Captors.

The Court adjourned till tomorrow Morning 11 Oclock.

Friday February 25th 1820

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

The Ship Amiable Isabella & Cargo vs The Privateer Rogers

This Cause was further argued by Mr Wheaton for the Captors

William Polk's Lessee vs Wendell & Hill

This Cause was opened by Mr Gaston

The Court adjourned till tomorrow morning 11 o'clock

Saturday February 26th 1820

The Court met according to adjournment

Present

The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

The Ship Amiable Isabella & Cargo vs The Privateer Rogers

This Cause was further argued by Mr Mercer for the Captors and by Mr Harper for the Claimants.

The Court adjourned till Monday morning 11 o'clock

Monday February 28th 1820

The Court met according to adjournment

Present

John	Marshall	Chief Justice
Bushrod	Washington	Associate Justices
William	Johnson	
Brockholst	Livingston	
Thomas	Todd	
Gabriel	Duvall	
Joseph	Story	

The Hon. Bushrod Washington

This Cause was further argued by Mr. Mills for the Captors and by Mr. Harper for the Claimants

The Schs Amiable Isabella & Cargo by The Privateer Rogers

The Court adjourned till tomorrow Morning 11 O'Clock

Tuesday February 29th 1820

The Court met according to adjournment

Present

John	Marshall	Chief Justice
Bushrod	Washington	Associate Justices
William	Johnson	
Brockholst	Livingston	
Thomas	Todd	
Gabriel	Duvall	
Joseph	Story	

The Hon. Bushrod Washington

This Cause was further argued by Mr. Harper for the Claimant

The Schs Amiable Isabella & Cargo by The Privateer Rogers

William Pitts Esqr

This Cause was further argued by Mr. Williams for the defendants.

Joseph H. Windell et al.

The Court adjourned till to-morrow Morning 11 O'Clock

Wednesday March 1st 1820

The Court met according to adjournment.

Present

The Hon'ble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

William Pollis Dipee
Joseph Mundell et al.

This cause was further argued by Mr. William for the defendant and by Mr. Harper for the defendants.

Mary Doherty Father Dipee
Blake & Cummins

This cause was opened by Mr. Cummins for the plaintiffs.

The Court adjourned till tomorrow morning 11 O'clock.

Thursday March 2d 1820

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

Mary Doherty Father Dipee
Blake & Cummins

This cause was further argued by Mr. Key and Mr. Swift for the defendant and by Mr. Jones for the plaintiffs.

Joseph Mandeville
James Nichols adm.
use of Ellen Payne

This cause was opened by Mr. Taylor for the plaintiff

The Court adjourned till to morrow morning 11. O'clock

Saturday March 3d 1820

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice; Bushrod Washington, William Johnson, Brockholst Livingston, Thomas Todd, Gabriel Duvall, Joseph Story — Associate Justices

Joseph Marshall by James Mitchell his atty use of Allen Pegan — This cause was further argued by Mr Lee and Mr Jones for the defendant and by Mr Swann for the plaintiff

The Court adjourned till tomorrow morning 11 O Clock.

Saturday March 4th 1820

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice; Bushrod Washington, William Johnson, Brockholst Livingston, Thomas Todd, Gabriel Duvall, Joseph Story — Associate Justices

Horace Marshall by Peter B. Beverly — This cause was argued by Mr Wirt for the plaintiff and by Mr Jones for the defendant.

John Hanaly & Lee by Jonathan Anthony & others — This cause was opened by Mr Hardin for the plaintiffs.

The Court adjourned till Monday morning 11 Oclock

Monday March 6th 1820

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
Associate Justices

John Handley Lopez
Jonathan Anthony Lothes } vs. This cause was further argued by the Attorney General for the defendant and by Mr Hemfer for the plaintiff.

Cadwallader Wallace
Richard Anderson } vs. This cause was argued by Mr Harrison for the plaintiff and by Mr West and Mr Scott for the defendant.

The Court adjourned till to morrow morning 11 Oclock

Tuesday March 7th 1820

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

Nathan Dufsborough
James H. Blakesdon } vs. This cause was argued by Mr Sims for the plaintiff and by the attorney general for the defendant.

The Ship La Amistad
Libel Admiral &c } vs. This cause was argued by Mr Sagersoll for the plaintiff and by Mr Mert for the defendants.

The Court adjourned till to morrow morning 11 Oclock

111 Wednesday March 8th 1820

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

The Mechanics Bank of Alexandria vs The Bank of Columbia } This Cause was argued by Mr Dee and Mr Swann for the plaintiffs and by Mr Key & Mr Jones for the defendants. —

The Court adjourned till tomorrow Morning 11. Oclock

Thursday March 9th 1820

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall &
Joseph Story
} Associate Justices

The King & Queen of Spain & Heirs vs Gaines & The United States } This Cause was argued by Mr Ingersoll for the plaintiff and by the Attorney general for the defendants. —

The Court adjourned till to morrow Morning 11. Oclock

Friday March 11th 1826

The Court met according to adjournment

Present

The Hon'ble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The United States
vs
Thomas Lancaster & Thos

This cause was argued by Mr Jones for the plaintiffs and by Mr Sergeant for the defendants.

Daniel Bussard
vs
Aaron Levering

This cause was argued by Mr Jones for the plaintiff and by Mr Key for the defendant.

The Court adjourned till tomorrow Morning 11 Oclock

Saturday March 11th 1826.

The Court met according to adjournment

Present

The Hon'ble: John Marshall, Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

James Lyle & Joshua B. Bowne
vs
John Rodgers

The Cause was argued by Mr. Jones and Mr Hopkinson for the plaintiffs and by Mr Pinkney and Mr Key for the defendants.

The Court adjourned till Monday Morning 11 Oclock,

Monday March 13th 1820

The Court met according to adjournment

Present

The Hon'ble
- John Marshall Chief Justice
- Bushrod Washington
- William Johnson
- Brockholst Livingston
- Thomas Todd
- Gabriel Duvall
- Joseph Story

} Associate Justices

John Greens Exrs
by
Richard Biddle

This Cause was argued by Mr Harden and Mr Jones for the plaintiff. — —

William Thornton
by
John F. Carson &c

This Cause was argued by Mr Jones for the plaintiff and by Mr Law for the defendant. — —

William Campbell
by
Pratt & others

This Cause was argued by Mr Key for the plaintiff and by Mr Jones for the defendants. — —

Peter Filer & others
by
John & Richard Penn's Exrs

This Cause was argued by Mr Sergeant for the defendants. —

John C. Young's Exrs
by
Thomas Speed & others

This Cause was argued by Mr Harden for the defendants. — —

The Court adjourned till tomorrow Morning 11 O'Clock

Tuesday March 14th 1820

The Court met according to adjournment

Present

The Honble John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

Peter Kline & others vs John & Richard Penn — This Cause was argued by Mr Pinkney and Mr Jones for the plaintiffs and by Mr Sergeant for the defendants.

John Steel vs Bapt & Co & others — This Cause was argued by Mr Sergeant for the defendants.

Samuel Penn & others vs John Penn — This Cause was argued by Mr Jones and Mr Binney for the plaintiffs and by Mr Sergeant & Mr Hurt for the defendants.

The Court adjourned till tomorrow morning 11 Oclock

Wednesday March 15th 1820.

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
Associate Justices

The Ship Amiable Isabella & Cargo vs The Private Armed Schooner Rogers — This Cause was further argued by Mr Pinkney for the defendants and by Mr Harper for the plaintiffs.

The Court adjourned till tomorrow morning 11 Oclock

Thursday March 16th 1820

The Court met according to adjournment

Present

The Honble: John Marshall Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston
Thomas Todd
Gabriel Duvall
Joseph Story
} Associate Justices

The Court delivered opinion in several Cases & adjourned till tomorrow morning 11. Oclock

Friday March 17th 1820.

The Court met according to adjournment

Present

The Honble. John Marshall, Chief Justice
Bushrod Washington
William Johnson
Thomas Todd &
Gabriel Duvall
} Associate Justices,

The Court delivered opinion in the Case of the United States vs the Cargo of the Brig Malinda-Justice Daniel Claimant and in two other Cases and adjourned to the next Term.

2 George W. P. Custis vs The George Town and Alexandria Turnpike Company

On Motion of Mr. Lee Counsel for the Plaintiff It is ordered that the appeal in this Case be and the same is hereby dismissed. Feby 7th

66 The United States vs The Schooner Triumvirate alias Perthshire &c &c William Lawson Claimt

By Consent of parties by their Counsel It is ordered that the appeal in this case from the Circuit Court of the District of Maryland be and the same is hereby dismissed and that the property be restored to the Claimant upon the payment of Costs Feby 9th

Samuel Brown vs The Schooner Triumvirate alias Perthshire &c &c William Lawson Claimt

By Consent of parties by their Counsel It is ordered that the appeal in this Case from the Circuit Court for the District of Maryland in this case is hereby dismissed and that the property be restored to the Claimant upon the payment of Costs. Feby 9th

81 William Lawson vs The Schooner Triumvirate alias Perthshire &c &c William Lawson Claimt

By Consent of parties by their Counsel It is ordered that the appeal in this case from the Circuit Court for the District of Maryland be and the same is hereby dismissed and that the property be restored to the Claimant upon the payment of Costs. Feby 9th

82 John G. Johnson vs The Schooner Triumvirate alias Perthshire &c &c William Lawson Claimt

By Consent of parties by their Counsel It is ordered that the appeal in this case from the Circuit Court for the District of Maryland be and the same is hereby dismissed and that the property be restored to the Claimant upon the payment of Costs. Feby 9th

63 The United States vs 174 packages and Trunks of dry goods part of the Cargo of the Perthshire &c

By Consent of Parties by their Counsel It is ordered that the appeal in this case from the Circuit Court for the District of Maryland be and the same is hereby dismissed and that the property be restored to the Claimant upon the payment of Costs — Feby 9th

112 (Judgment

Charles A Blaney
vs
John Lewis Ripka
of David Ripka

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for East Tennessee and was argued by Counsel on consideration Whereof It is the opinion of this Court that the Circuit Court erred in instructing the Jury That the title to the whole tract of Land in the proceedings mentioned and for which Judgment was rendered in the said Circuit Court was vested in David Ripka. Whereas the Court ought to have instructed the Jury that only a Moiety of the said Land was vested in Him - It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this Case be and the same is hereby reversed and annulled. And it is further ordered that the said Cause be remanded to the said Circuit Court with directions to issue a venire facias de novo Feby 14th 68

Robert W Johnson
vs
Samuel Moore

This Cause came on to be heard on the Transcript of the Record of the Supreme Court of the Lancaster District for the Commonwealth of Pennsylvania and was argued by Counsel, on consideration Whereof, It is adjudged and ordered, that the Judgment of the Supreme Court of the Lancaster District for the Commonwealth of Pennsylvania in this Case be and the same is hereby affirmed with Costs. - Feby 16th 68

The United States
vs
Peter Wilberger

This Cause came on to be heard on the Transcript of the Record and was argued of the Circuit Court for the District of Pennsylvania, and on the question on which the Judges of that Court were divided and was argued by Counsel on consideration Whereof the Court is of opinion that Manslaughter committed in a manner such as the case Exhibits is deemed to be is not punishable by the Laws of the United States and that the Circuit Court of the United States for the District of Pennsylvania has no jurisdiction over the offence. -

All which is ordered to be certified to the Circuit Court of the United States for the District of Pennsylvania. —

Feby 18th

The Cargo of the Ship Venus, John Diamond - Claimt
vs
The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Georgia and the further proof exhibited in this Cause and was argued by Counsel

On consideration whereof It is ordered and decreed that the decree of the Circuit Court for the District of Georgia in this cause be condemning the Cargo of the Ship Venus be and the same is hereby reversed and annulled. And this Court proceeding to pass such decree as the said Circuit Court should have passed It is further decreed and ordered that the said Cargo of the Ship Venus be restored to the Claimant and it is further decreed that the said Claimant pay to the Libellants the Costs and expenses incurred in the prosecution of this suit. —

Feby 21st

The United States
vs
Ralph Clintock

An Indictment of Piracy of Ship Mutiny
This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Georgia, and was argued by Counsel. In consideration whereof this Court is of opinion

1st That Navy Commission does not exempt the prisoner from the charge of Piracy —

2d That although the Facts practiced on the Crew may not in itself support the charge of piracy the whole transaction as stated in the Indictment and in the facts inserted in the Record does amount to piracy —

3d That the prisoner is punishable under the provisions of the eighth Section of the act of 1790 —

4th That the act of the 30th April 1790 does extend to all persons on board all ships which throw off their national Character by ranging piratically and committing piracy on other vessels — Feby 24th

The United States
vs
Thomas Smith

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Virginia, and on the question on which the Judges of that Court were divided in opinion and was argued by Counsel, on consideration whereof, the Court is of opinion that the offence charged in the Indictment in this Case, and by the Jury to have been committed by the prisoner amounts to the Crime of Piracy as defined by the Law of Nations, so as to be punishable under the act of Congress intitled "An act to protect the Commerce of the United States and punish the Crime of piracy": —

All which is ordered to be certified to the Circuit Court for the District of Virginia. —

Feby 25th

The United States
vs
John Furlong
alias John Robson

An Indictment of Piracy on the Seas of Scarborough

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Georgia, and on the question on which the Judges of that Court were divided in opinion, and was argued by Counsel, on consideration whereof. The Court is of opinion that a reference to the Law of Nations by the act of Congress to define the crime of piracy is such a definition as the Constitution requires and therefore that the Judgment in this Case ought not for that cause be arrested. —

All which is ordered to be certified to the said Circuit Court. —

Feby 25th

The Cargo of the Ship London Packet —
don Juan Stoughton,
Spanish Consul — Claimt

vs

The Private Armed Brig Argus

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts, and the further proof & testimony

in this Cause, and was argued by Counsel, on Consideration whereof, It is decreed and ordered that the decree of the Circuit Court for the District of Massachusetts in this case condemning Six thousand two hundred and seventy Dez of hides as good and lawful prize to the Libellants be and the same is hereby reversed and annulled. And this Court proceeding to pass such decree as the said Circuit Court should have passed; It is further decreed and ordered that the said Six thousand two hundred and seventy Dez of hides be restored to the Claimant: And it is further decreed that the said Claimant pay to the Libellants the costs and expenses incurred in the prosecution of this suit. —

Feby 20th
C. J.

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113 The United States } On Indictment for piracy on an American Ship
" } This Cause came on to be heard on the Tran-
John Furlong } script of the Record of the Circuit Court
alias John Robson } of the United States for the District of
Georgia, and on the question on which
the Judges of that Court were divided in opinion and was
argued by Counsel on consideration whereof the Court are of
opinion That the eighth section of the act of the 30th April 1790
on which the Indictment is founded is not repealed by the act of
the 3rd March 1819 entitled "An act to protect the commerce of the
United States and punish the crime of piracy;" — March 1st

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106 The United States } For Indictment for the murder of Smith
" } This Cause came on to be heard on the
John Furlong alias } Transcript of the Record of the Circuit Court
John Robson } of the United States for the District of
Georgia and on the question
of on which the Judges of that Court were divided in opinion
and was argued by Counsel on consideration whereof

is of opinion as to the first and second questions stated by said Circuit Court That it was not necessary the Indictment should the Prisoner as a Citizen of the United States nor the Crime as committed on board an American Vessel in as much as it charges it to have been committed from on board an american vessel by a Mariner sailing on board an American Vessel. —

To the 3rd Question. That the act of 30th April 1790 is not virtually repealed by the act of 3rd March 1819 entitled "An act to protect the Commerce of the United States and punish the Crime of Piracy". — March 15th

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The United States } Jury Piracy of the Ship Asia. —
vs. } This Cause came on to be heard on the
Daniel Bowers & } Transcript of the Record of the Circuit
Henry Mathews } Court of the United States for the District

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of Georgia, and on the question, on which the Judges of that Court were divided in opinion and was argued by Counsel on consideration whereof, The Court is of opinion.

1st That it is competent to prove the Character of an American Vessel without her register evidence of her register. —

2nd That it is competent for the Jury to find that the piracy was committed on the high seas upon the evidence that the Asia at the time she was boarded was at anchor in an open Roadstead at the Islands of Bonavista. — —

3rd That the 8th Section of the act of Congress of 30th April 1790 is not repealed by the 5th Section of the act of March 3rd 1819 entitled "An act to protect the Commerce of the United States and punish the Crime of Piracy". —

4th That each count in an Indictment is a substantive charge and if the finding conform to any one of them which in itself will support the verdict it is sufficient to give Judgment on. — —

The United States
vs
Louis Bowers &
Henry Mathews

An Indictment for piracy on board the British Schooner Sir Thomas Hardy

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Georgia, and on the question on which the Judges of that Court were divided in opinion, and was argued by Counsel, on consideration whereof

The Court is of opinion.—

1. That the act of the 30th April 1790, the eighth section does not extend to piracy committed by the crew of a Foreign vessel on a vessel exclusively owned by persons not Citizens of the United States in the case of these prisoners in which it appears that the crew assumed the character of pirates whereby they lost all claim to a National Character or protection.

2. That the 8th Section of the act of the 30th April 1790 entitled "An act for the punishment of certain crimes against the United States" has not been repealed by the 5th Section of the act of March 3d 1819 entitled "An act to protect the commerce of the United States and punish the Crime of piracy".— March 1st

The United States
vs
James Griffin &
Benjamin Bradford

An Indictment for piracy on the ship Mexa an American Ship.—

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of South Carolina and on the question on which the Judges of that Court were divided in opinion, and was argued by Counsel, on consideration whereof

The Court is of opinion.—

1. That an American Citizen fitting out a vessel in an American port really to cruize against a power at peace with the United States is not protected by a commission a Belligerent from punishment for any offence committed by him against rebel

February Term, 1820 (Judgment

5th It is competent for a Jury to find that a vessel within the Jurisdiction of the State at anchor in an open Roadstead, where vessels only ride under shelter of the Land at a Season when the Course of the winds is moderate, is upon the high seas.

8th That the words out of the Jurisdiction of any particular State in the 8th section of the act of Congress of the 30th April 1790 entitled "An act for the punishment of certain crimes against the United States" must be construed to mean out of the Jurisdiction of any particular State of the United States.

9th That the 8th section of the act of 30th April 1790 entitled "An act for the punishment of certain crimes against the United States" is not repealed by the 5th section of the act of the 3d of March 1819, entitled "An act to protect the Commerce of the United States and punish the Crime of Piracy".

10th That the 2d section of the act of 3d of March 1819 furnishes a sufficient definition of Piracy and that it is defined "Robbery on the Seas".

11th That considering this question with reference to the case stated the 8th section of the act of 1790 entitled "An act for the punishment of certain crimes against the United States" comprehends the case of Piracy committed by a foreigner on a foreign vessel upon any vessels so as to make him punishable with death, inasmuch as both vessels and crew no longer retain any pretention to national character after assuming that of a pirate.

12th That the National Character of a vessel is a fact which a Jury may find upon such evidence as will satisfy their minds without the production of the Register or proof of its having been in or board of her.

13th That the eighth question is answered in the answer given to the first question.

March 1st

The United States
105 vs
John Pasling

Ejectment for the recovery of Land. This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Georgia and on the question on which the Judges of that Court were divided in opinion, and was argued by Counsel on consideration whereof the Court is of opinion, That murder committed by a foreigner on a foreigner on board a foreign vessel is not punishable under the eighth section of the act of 1790. entitled "An act for the punishment of crimes against the united United States. — March 1st

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John Stephenson
Hugh Stephenson
Marcus Stephenson
John Chapin & Ann his wife.
William Chapin & Betsy his wife

vs

Lucas Sullivant

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio and was argued by Counsel on consideration whereof it is the adjudged and decreed, that the Judgment of the Circuit Court for the District of Ohio in this case be and the same is hereby affirmed with costs. — March 4th

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George Perkins, Samuel Perkins Wm H. Perkins Thomas J. Perkins Arthur Moseley and Sally his wife Susanna Perkins Daniel Moseley & Sally his wife Elizabeth F. Perkins & Stanley F. Perkins by George Perkins their next friend, heirs & representatives of William Perkins dec'd

12 vs

Robert Ramsay, David Ferguson, James Barnes John Caldwell, Elijah Smith, William Smith, Thos Finn, Kenneth Newton, George Montgomery, Daniel Woods, Henry Smith, Davis Ramsay, Sandford Wilson, Mansfield Lewis, Wm Hensley, Lewis Stewart, John Monroe, James McCulloch, John McCulloch, John McCulloch, John Castleden, William Best, William

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky, and was argued by Counsel on consideration whereof it is decreed and ordered that the decree of the Circuit Court of the United States for the District of Kentucky in this case be and the same is hereby affirmed with costs. —

March 5th

1. 130 February Term 1820 (Judgment

Joseph Vandewalle
18 vs
Jams Summers Admr
of James Veleh. use of
Allen Poyor —

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria and was argued by Counsel, on Consideration Whereof, the Court is of opinion that the said Circuit Court erred in instructing the Jury "that "if they should be of opinion from the evidence, that the said Bills "were drawn for the full and valuable consideration expressed on "the face of them, paid by the said Poyor to the said Veleh, & if there "be no other evidence than what is hereinbefore stated, they ought to "infer from the said evidence that the said Poyor was and is "such an assignee of the right of action upon the Covenant afore- "said as authorizes him to sustain the action in the name of the "said Veleh's administrator for the wholy debt due by the said Covenant "at the time of the said Veleh's delivering the said account to the "said Poyor."

It is therefore adjudged and ordered, that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled.

And it is further ordered that the said Cause be remanded to the said Circuit Court with directions to issue a venire facias de novo —

March 7th
"B."

Wadwallader Wallace
82 vs
Richard C. Anderson

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio and was argued by Counsel, on Consideration Whereof. The Court is of opinion that no writ quo warranto can be maintained but at the instance of the government, and as this is a writ issued by an individual without the authority of government it is the opinion of this Court that the same cannot be sus-

Counsel thereon may be the right of that individual or of the person who claims to exercise the office to try his title to which the writ is brought. It is therefore the opinion of this Court that the Judgment of the Circuit Court ought to be reversed, and the Cause remanded to that Court with directions to dismiss the information because it is not filed at the instance of the United States. March 8th

William Polke Plff in Error
vs
Joseph H. Wendell & John Hall. Defts

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of West Tennessee, and was argued by Counsel, on consideration whereof, It is the opinion of the Court that there is error in the Judgment of the said Circuit Court in rejecting the documents marked in the Transcript of the Record with the letters H.K. and L. as incompetent evidence; It is therefore adjudged and ordered that the Judgment of the Circuit Court for the District of West Tennessee in this case be and the same is hereby reversed and annulled. And it is further ordered that the said Cause be remanded to the said Circuit Court with directions to award a venire facias de novo. March 9th

Moore Marshall
vs
Silas H. Beverly

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Virginia and was argued by Counsel on consideration whereof It is the opinion of the Court, that the said Circuit Court were improperly exercising the proceedings on the Judgments obtained against the said plaintiff Moore Marshall because the Bills which have been sworn by said Silas H. Beverly had been filed in the names of third persons by whom the said Judgments had been obtained and before the assumpsits of such Executors, who had been made defendants to said Bill of Complaint

last come on. It is therefore decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby reversed and annulled. And it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to law. — March 9th

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Nathan Dushorough)
) This cause came on to be heard on the
) Transcript of the Record of the Circuit Court
21) for the District of Columbia in the County
James H. Blake) of Washington and was argued by Counsel
) on consideration whereof it is adjudged and ordered that the
Judgment of the said Circuit Court in this case be and the same
is hereby affirmed with costs. — March 10th

The Mechanics Bank of)
Alexandria) This cause came on to be heard on
) the Transcript of the Record of the Circuit
23) Court for the District of Columbia
The President Directors and) in the County of Alexandria and
Company of the Bank of Columbia) was argued by Counsel, on consider-
) ation whereof. It is adjudged and
ordered that the Judgment of the said Circuit Court in this
Case be and the same is hereby affirmed with costs and
damages at the rate of six per centum per annum including
interest on the amount of the Judgment of the said Court.
March 13th

The Brig Louisa Segunda and)
the goods & chattles found on Board)
Cumaehume Avilla &c Emplts) This cause came on to be heard and
) on the Transcript of the Record of the
27) Circuit Court of the United States
The United States) for the District of Louisiana and
) was argued by Counsel on consider-
ation whereof. It is
decreed and ordered that the decree of the said District Court in this
Case be and the same is hereby affirmed with costs.
March 13th

Libelant-Appellee &c
vs
The Brig Louisa Jeanneau &
Cargo &/53 Origo Casks.
&c Claimants Compellants

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana, and was argued by Counsel, on consideration whereof It is decreed and ordered, that the Decree of the District Court in this case be and the same is hereby affirmed with costs.—

March 13th

John Lee Lefevre of Mary County Maryland Gentleman and Helen his wife & William Bowie and Fanny his wife
vs
John Blake & Thomas Cummins

This cause came on to be heard on the Transcript of the Record of Circuit Court for the District of West Tennessee and was argued by Counsel, on consideration whereof. The Court is of opinion that the Circuit Court for the District of West Tennessee erred in instructing the Jury that they might use the declaration in the Bill of exceptions and opinion of the Court mentioned for the purpose of ascertaining the land contained in the grants under which the defendant claimed.

It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled. It is further ordered that the said cause be remanded to the said Circuit Court with directions to issue a venire facias de novo—

March 13th

The Ship La Amistad de Rues &
Cargo & the Armed Schooner La Jeune
vs
Jose Almirall & others

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel. on consideration whereof. It is decreed and ordered that the decree of the said District Court in this case be and the same

is hereby annexed and annulled and this Court proceeding to pass such decree as the said District Court should have passed. It is further decreed and ordered that the Libel be dismissed and the said Ship La Amistad, her tackle, apparel & furniture and Cargo be restored to the Claimants - and it is further ordered that each party pay their own costs. March 14th

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John Handley Piper
vs
Jonathan Anthony James
Mary Charles Person and
John Patterson.

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel on consideration whereof.

It is adjudged and ordered, that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

March 14th

James Ogle v. Lothrop B Bonds
vs
John Rodgers

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington, and was argued by Counsel, on consideration whereof it is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

March 15th

The United States
vs
William Holmes, Thomas Brannigton alias Warren Fawcett and Edward Rosewaine

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts and on the question on which the Judges of that Court were divided in opinion, and was argued by Counsel. On consideration whereof the Court is of opinion.

1. That the said Circuit had jurisdiction of the offence charged in the

Indictment, altho' the vessel on board of which the offence was committed was not at the time owned by a citizen or citizens of the United States and was not lawfully sailing under its flag. -

2. The said Circuit Court had Jurisdiction of the offence charged in the Indictment, if the vessel on Board of which it was committed at the time of the Commission thereof had no real national character, but was possessed and held by pirates, or by persons, not lawfully sailing under the Flag or entitled to the protection of any Government whatsoever.

3. It made no difference as to the point of Jurisdiction, whether the prisoners or any of them were citizens of the United States, or the deceased was a citizen of the United States, or that the offence was committed, not on board any vessel but on the high seas. -

4. The burthen of the proof of the national character of the vessel on board of which the offence was committed was under the circumstances stated in the charge of the Court on the prisoners. -

March 15th

" 16 "

John Steel,

34 vs

Joseph Bas & Francisco Sains Pha trading under the Firm of Bas & Co Athanasal Llanafa & Antonio Izquierdo Ecards trading under the Firm of Athanasal Llanafa & Co

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania and was argued by Counsel. On Consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court.

March 16th

" " -

William Thornton
vs
James Hickens & Wife
& John H. Tenson

This Cause came on to be heard on the Transcript of the Record of Circuit Court for the District of Columbia in the County of Washington, and was argued by Counsel on Consideration Whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs, and damages at the rate of 6 per centum per annum including interest on the amount of the Judgment of the said Circuit Court. — March 16th

John Doe on the demise of John C. Illings
vs
Thomas Tyson

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel on Consideration Whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs. — March 16th

Daniel Cann, Francis Grove, Isaac Grove & others
vs
John Penn

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania and was argued by Counsel on Consideration Whereof. This Court is of opinion that the parol testimony stated by the Circuit Court in the interlocutory Decree to have been heard at the trial ought to have appeared in the Record and that the interlocutory decree ought not to have been pronounced until William Penn was before the Court by his answer or otherwise: This Court is therefore of opinion that the decree of the Circuit Court

for the District of Pennsylvania dismissing the bill of the Complaintiffs ought to be reversed and the same is finally reversed, and the cause is remanded that further proceedings may be had therein according to equity - All which is ordered and decreed accordingly.

March 15th

Ferdinando Fairfax } By motion and by consent of parties by
vs } their counsel. It is ordered, that this cause
78 Isaac Hopkins } be and the same is finally dismissed
} agreed.

March 16th

The United States } This Cause came on to be heard on
vs } the Transcript of the Record of the
38 Thomas Fancastle Thomas } Circuit Court for the District of
Nimlen & James Smith Surv. } Pennsylvania and was argued

by Counsel, on consideration whereof. It is adjudged and ordered, that the said causes be remanded to the said Circuit Court, it not appearing from the said Transcript that this Court has jurisdiction in said cause.

March 16th

The United States } This cause came on to be heard
vs } on the Transcript of the Record
The Cargo of the Brig } of the Circuit Court for the
Atlantic - Justin Fossat } District of Georgia and the
Claimants. } further proof in the cause, and

was argued by Counsel, on consideration whereof It is decreed and ordered, that the decree of the Circuit Court for the District of Georgia in this case be and the same is finally reversed and annulled. And this Court proceeding to pass such decree as the said Circuit Court should have passed. It is further decreed and ordered that the Cargo of the said Brig Atalantic be and the same is finally condemned as prize of war to the Captors.-

March 17th

William Campbell
vs
Henry Foutt, Thomas W. Hawes
John Miller and John Ashby
and Jacob Baker

This cause came on to be heard on the transcript of the Record of the Circuit Court of the District of Columbia in the County of Washington and was argued by Counsel on consideration whereof. This Court is of opinion that so far as the decree of the Circuit Court goes to give the Mortgage to Lenthall a preference to the equity of redemption existing in the appellant in applying the proceeds of the sale of lots mortgaged to Lenthall to the payment of that Mortgage to the exclusion of the interest of the appellant in the said thirteen lots until the said Mortgage to Lenthall is satisfied there is no error. And so far as relates to the question whether the lots purchased by the appellant have been charged with more than their due proportion of the debt due to law it is ordered that the Clerk examine the Record and report the evidence and statements thereon contained on this point. — March 17th

Charles Glover
vs
Thomas Owen and
Isaac P. Langstaff

On Motion of the defendants by their Counsel in this case and on examination of the Records. It is ordered that the appeal be and the same is is hereby dismissed with Costs, it not appearing that there was a final decree in same cause in the Circuit Court. — March 17th

Fine.

At a Session of the Supreme Court of the United States begun and holden at the Capitol of the United States in the City of Washington being the present Seat of the National Government of the United States on the First Monday of August being the day of the same Month in the year of our Lord one thousand eight hundred and twenty, and of the Independence of the United States the Forty fifth Agreeably to the Statute in such case made and provided The Honble [illegible] one of the Associate Justices of the said Supreme Court and Circuit of the fourth Circuit in the State of Maryland was present and the Clerk of the said Supreme Court attending, It is ordered by the said Judge that the following entries be made in the following actions, to wit—

David Lane & others
1. vs
Walter Simms Defts

Continued from last Term.
Continued

John Green
2. vs
James Kennedy & others

Continued from last Term.
Continued

The United States
3. vs
Charles Wilkins

Continued from last Term.
Continued.

John Green & others
Heirs of John Green dec'd
4. vs
Richard Biddle

Continued from last Term
Continued

	The Privateer Schooner Fly	Continued from last Term.
	H. L. Jackson & others Claimants	
5.	do	
	The Schooner Experiment & Cargo	Continued
	The United States Claimants	

John	Green	Continued from last Term.
6.	do	
James	Watkins & others	Continued

Nathaniel	Thatcher & others	Continued from last Term.
7.	do	
The Libel	of Wm. Powell & others	Continued

The Ship	Amiable Isabella & Cargo	Continued from last Term
8.	do	
The Private	Armed Schooner Roger	Continued

Silas	Bullard	Continued from last Term
9.	do	
Samuel	Beall	Continued

William	McCleary	Continued from last Term
10.	do	
Wyllys	Silliman	Continued

Samuel	Bartle & another	Continued from last Term
11.	do	
George	Coleman	Continued

Daniel Bufard	Continued from last Term
12. do	
Jacob Fenning	Continued

George Lindenberger & others	Continued from last Term
13. do	
George Beall	Continued

Peter Klein & others	Continued from last Term
14. do	
John & Richard Penns Defts	Continued

William Campbell	Continued from last Term
15. do	
Isaac Frances & others	Continued

The Brig Mary Ann	Continued from last Term.
Jeremiah Pleasants Claimt	
16. do	Continued
The United States	

Cadwallader & George Evans	Continued from last Term.
Exors of Oliver Evans dec'd	
17. do	Continued
Isaac Eaton	

Same	Continued from last Term.
18. do	
George Helfrich	Continued

George Gundy		Continued from last Term
17	1815	
Robert Young		Continued

John Hopkins		Continued from last Term.
21	1815	
Richard B. Lee		Continued

Thaddeus Mayhew		Continued from last Term
21	1815	
Lessee &c. Exr. of Thatcher		Continued

The Mechanics Bank of Alexandria		Continued from last Term.
22	1815	Continued
Caines Withers		

Joseph Hare &c Hare		Continued from last Term
23	1815	
John Watts		Continued

The United States		Continued from last Term.
24	1815	
972 Casks of Brandy part of the Cargo of the Carmen - Nat. Gamble vice Consul of Spain & other Claimts		Continued

Same		Continued from last Term.
25	1815	
57 Casks of Brandy Same Claimts		Continued

The United States	Continued from last Term.
26 vs	
5 pieces of Calicoes &c	Continued
James Hamilton Claimt	

The Farmers & Mechanics	Continued from last Term.
Bank of Pennsylvania	
27 vs	Continued
William W. Smith	

James Barnes & others	Continued from last Term.
The Patriotic Queen &c	
28. vs	
Bernardo Mallagamba	
& Consort & Upon Claim	Continued
of the Public Enemies Cargo	

Same	Continued from last Term
29 vs	
The Bello Gaunes & Cargo &c	Continued

The United States	Continued from last Term
30 vs	
6 packages of Merchandize	Continued
Hugh K. Toler Claimt	

George Breckenridge Esqr	Continued from last Term
31. vs	
Richardson Stewart	Continued

The Schooner Two Brothers & Cargo	Continued from last Term
John Merchant & other Claimts	
32 vs	

Joseph Smith & others	Continued from last Term.
32 vs	
The Universal Insurance Company	Continued

The Heirs of Samuel Bleight	Continued from last Term
34. vs	
John Rochester	Continued.

Andrew Bartle	Continued from last Term
35. vs	
George Coleman	Continued

Part of the Cargo of the Ship Robert Edwards - Ann Savage Claim	Continued from last Term.
36. vs	Continued
The United States	

Samuel Hughes	Continued from last Term
37 vs	
George Blake	Continued

Edmund Rodrigues & others	Continued from last Term
38 vs	
The Brig Belle Louisa & Cargo	Continued.

George M. Provost admr of George Vaughan dec'd	Continued from last Term
39 vs	Continued
Michael Grandy's admrs	

Michael Gravely's admin 40 vs George W. Prescott admin of George Vaughan dec'd	Continued from last Term Continued

John Walls 41. vs Nathaniel Lindsay & others	Continued from last Term Continued

The United States 42. vs The Brig Sereno & Cargo Paul Schacon Spanish Consul Claim't	Continued from last Term Continued

George Brimer & others Claimants for Salvage 43. vs The Same	Continued from last Term Continued

David C. De Forest & others Capturing Claimants 44. vs The Same	Continued from last Term Continued

Wilhelmus Wellbrock &c 45. vs Pius Hollingsworth & others	Continued from last Term Continued

Felipe Peter Spanish Consul Schooner Lucia & Cargo 10 Tons	Continued from last Term
385 pieces of Merchandize &c John Ware & Thomas Powers Claimants	Continued

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The Same The Schooner Nessa Arms & Cargo 47 Tons	Continued from last Term
13 Packages Merchandize Jane Le Barbenter Claimant	Continued

William Rodgers use of Jedediah Leeds 28 Tons The Marine Insurance Company	Continued from last Term Continued

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Don Antonio Argalle Mutialobas 117 Tons	Continued from last Term
The Schooner Conception & 300 Bags Sugar	Continued

Henry Clark & others 30 Tons	Continued from last Term
John Jackson ex dem John Graham	Continued

Bolton Jackson 71 Tons	Continued from last Term
Simms Pittsburgh & others	Continued

Robert Hall & Relf of Sydenham admrs of William Hall 52. do John Ringwood Freeman	Continued from last Term Continued
Richard Reich, Daniel Cruttenden and Charles McCormick 53. do George F. Strother for the benefit of Mary Mumley & others	Continued from last Term Continued
Walter Brashears 54. do Hyman Gourley & others	Continued from last Term Continued
Washington Bowie 55. do Alexander Henderson & Collin Auld	Continued from last Term Continued
Washington Bowie & John Henly 56. do John Wheelwright	Continued from last Term Continued
William Newson 57. do The Rector of Horton Church John G. Blount James Potter & Newson Elmer	Continued from last Term Continued

Lee. dem. Preston's heirs	Continued from last Term
48 vs	
Harman Bauman	Continued.

The Heirs of Justus Miller &c.	Continued from last Term
59 vs	
Pusley (Kendl), Isaac Craig & Amelia his wife & Jol Kerr	Continued

The United States	Continued from last Term.
60. vs	
Samuel Phelps & others	Continued

Same	Continued from last Term
61. vs	
William W. Robertson	Continued

Samuel Buell	Continued from last Term
62. vs	
Cornelius P. Vanhook	Continued

John Yerby & Thomas Meadmore	Continued from last Term.
63. vs	
Thomas Graham & Isaac R. Graham	Continued

William Otis	Continued from last Term
64. vs	
Lynde Walter	Continued

John	Gaylor	Continued from last Term
65	do	
The Corporation of George Town		Continued

Peter	Ricard	Continued from last Term
66	do	
Thomas	Williams & others	Continued

The Union Bank of George Town		Continued from last Term
67	do	
Thomas	Hyde	Continued

George	Beall	Continued from last Term
68	do	
Edward	Thompson &	Continued
Richard	Mairs	

William	Bayley and	Continued from last Term
James	P. Morsell	
69	do	Continued
James	Greenleaf & others	

John	Thomson	Continued from last Term
70	do	
Thomas	Drew	Continued

John	Taylor	Continued from last Term
71	do	
Thomas & Samuel	Sandford	Continued

George M. Ogden		Continued from last Term
72	4th Circ	
Peter Sanders		Continued

Jacob Bonfanes Defts		Continued from last Term
73	2nd Circ	
John Moore		Continued

The United States		Continued from last Term
74	2nd Circ	
Joseph McIlvain		Continued

Peter Michael Le Mistre &		Continued from last Term
Pierre Beaudandine		
75	4th Circ	
Thomas R. Price & Robert Grant		Continued
Exrs of Harry Grant decd		

Thomas & Robert Pattison Junior		Continued from last Term
76	2nd Circ	
Henry Nicholson		Continued

Isabella McCreery's Defts		Continued from last Term
77	2nd Circ	
Henry A Lanneville		Continued

John Stiles on the demise		Continued from last Term
of Richard Taylor		
78	2nd Circ	
George Myers		Continued

Ashburn Pearson	Continued from last Term
77.	
Duncan McArthur	Continued
Eleazer Gourly and	Continued from last Te
Daniel Gourly	
80.	Continued
The United States	
James Sprague	Continued from last Term
81.	
Robert Culbertson & others	Continued
James Williams	Continued from last Term
82.	
The United States	Continued
The Mutual Assurance Society	Continued from last Te
83.	
Fayson Metcalf & Co	Continued
Amos Alexander and	Continued from last Term
Abiel Holbrook	
84.	Continued
Daniel & Samuel Ray	
John Davis & Richard Morris	Continued from last Term
85.	
John Davis admr of Richard	Continued —
Morris	

Ayres Goodell		Continued from last Term
80	vs	
Henry Lee		Continues
Same		Continued from last Term
87	vs	
Same		Continues
Simon E Luvendoff		Continues
88	vs	
Hubbard Taylor & others		
John Matthews		Continues
89	vs	
Noah Zane & the Legal Representatives of John McIntyre dec'd		
William Coleman		Continues
90	vs	
Thursby Wickham & Ux		
Robert J Taylor		Continues
91	vs	
John F Mason		
Aaron Ryerss		Continues
92	vs	
Thomas Gibbons		
Reuben Galatheaugh		Continues
93	vs	
Benjamin G Orr		

Alexander McCormick pl. vs Isaac Bates	Continued
William Mankins, Garnishee of Richard Ho. Fitzhugh pl. vs Joseph Brookes	Continued

Proclamation being made the Court is adjourned to the time and place appointed by Law. ——

At the Capitol of the United States in the City of Washington and District of Columbia the present Seat of the National Government of the United States on the first Monday of February (being the fifth day of the same Month) in the Year of Our Lord one thousand eight hundred and twenty one and of the Independence of the United States the Forty fifth. The Supreme Court of the United States met agreeably to Law —

Present

The Honble.	Thomas Todd Esq Gabriel Duvall	Associate Justices.

This being the day appointed by Law for holding a Session of the Supreme Court of the United States and a sufficient number of the Justices to form a quorum not being convened the Court is adjourned by the Justices now present until to morrow Morning at eleven O'clock.

Tuesday Morning February 6th 1821—

Present

	Brockholst	Livingston	
	Thomas	Todd	
H. Trimble	Gabriel	Duvall &	Associate Justices
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol of the United States pursuant to adjournment.—

(Silent upon)	
The United States	This Cause was argued by the
to	Attorney Generals for the plaintiffs and by Mr Hopkins and
Charles Wilkins	Mr Jones for the defendants

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

(Vide supra)

On motion first made to the Court in this behalf, Alexander Hamilton and F. S. Key Esquires are ordered to be admitted to practice as Attorneys & Counsellors of this Court. —

Wednesday Morning February 7th 1821

Present

	John	Marshall	Chief Justice.
	William	Johnston	
	Brockholst	Livingston	
The Hon'ble:	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment

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Samuel Bussard
12. vs
Aaron Ewing

This cause came on to be heard on the Transcript of the record of the Circuit Court of the District of Columbia in the County of Washington and was argued by Counsel On consideration whereof it is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

George Lemmberger
Frederick Lemmberger
Jacob Lemmberger
13. vs
George Beall

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel On consideration whereof this Court is of opinion that the said Circuit Court erred in ordering the Jury that the proof of notice was sufficient to charge the defendants Indorser - It is therefore ordered and adjudged

Wednesday February 7th 1821.

that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled. And it is further ordered that the said cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

John Hopkins
vs
Richard B Lee

This cause was argued by Mr Swann and Mr Pinkney for the plaintiff and by Mr Lee and Mr Jones for the defendant.

The Mechanics Bank of Alexandria
vs
Isaac Withers

This cause was argued by Mr Lee and Mr Swann for the plaintiffs and by Mr Jones for the defendant.

Proclamation being made the Court is adjourned until tomorrow Morning at 11 Oclock

Thursday Morning February 8th 1821.

Present

The Hon'ble:	John	Marshall,	Chief Justice
	Brockholst	Livingston	Associate Justices
	William	Johnson	
	Thomas	Todd &	
	Joseph	Story	
	Gabriel	Duvall	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

The United States
vs
Part of the Cargo of the Bella Esperanza Malaga Master Claimed by Consuls of Spain.

This Cause was argued by Mr. Meinar for the Captors and by the Attorney General for the Claimants.

Proclamation being made the Court is adjourned until to-morrow Morning at eleven O'clock. —

Friday Morning February 9th 1821.

Present

	John	Marshall	Chief Justice
	Brockholst	Livingston	
	William	Johnson	
The Hon'ble	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

The Mechanics Bank of Alexandria
vs
Jane Matthews

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria, and was argued by Counsel On consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.—

The United States
vs
Wm Wells Summes

This cause was further argued by Mr Herman for the Defendant and by Mr Wheaton for the States and by Mr Mitchell for the Claimants.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.

Saturday Morning February 16th 1811.

Present

The Hon'ble:	John	Marshall,	Chief Justice
	Bushrod	Washington	Associate Justices
	William	Johnson	
	Henry	Todd	
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment —

The United States
vs
The Bank of Columbia

This Cause was further argued by the Attorney & Counsel.

Haddens Maynhem
vs
David & Pathrop Thatcher

This Cause was argued by Mr Ingersoll for the plaintiff in Error by Mr Hopkinson for the defendant.

Proclamation being made the Court is then adjourned until Monday Morning at eleven O'clock. —

Monday Morning February 12th 1821.

Present

	John	Marshall	Chief Justice.
	Brockholst	Livingston	
	William	Johnson	
The Hon'ble:	Thomas	Todd &	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this Morning at the Capitol, pursuant to adjournment.

George Gunnady
vs
Robert Young.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria and was argued by Counsel, On Consideration whereof. It is adjudged and ordered that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Nathan Thatcher &
Samuel Nance
vs
John Lee Executor of William A. Powell, Hackliah Powell John Lewis Powell Cohiers of Lewis Powell deceased & John Page

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of West Tennessee & was argued by Counsel. On Consideration whereof It is adjudged & ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Monday February 12. 1821 cont.

Thaddeus Maybem
vs
Simeon Thatcher &
Eli[illegible] Thatcher

This Cause came on to be heard on the Transcript of the Record of the district Court for the district of Connecticut and was argued by Counsel on consideration whereof It is adjudged and decreed that the Judgment of the said district Court in this case be and the same is hereby affirmed with Costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said district Court. —

John Kilpatrick
vs
Richard B Lee

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof, It is adjudged and decreed that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with Costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court. —

The Farmers & Mechanics Bank
vs
William M Smith

This Cause came on to be heard on the Transcript of the Record of the Supreme Court for the Eastern District of Pennsylvania and was argued by Counsel On consideration whereof This Court is of opinion that the said

Monday February 12th 1821. Cont?

Supreme Court for the Eastern District of Pennsylvania. Be it therefore considered that the Judgment for the defendant on the demurrer of the plaintiffs to the plea of the said defendants. It is therefore adjudged and ordered that the Judgment of the said Supreme Court for the Eastern District of Pennsylvania be and the same is hereby reversed and annulled. It is further ordered that the said cause be remanded to the said Supreme Court for the Eastern District of Pennsylvania with directions to enter Judgment for the plaintiffs in the said Supreme Court.

Peyton Randolph, Bennet Taylor and Susanna his wife Edmund Preston Lewis Burwell his wife heirs at Law of Edmund Randolph dec'd

vs

Thomas Parkins, Joseph Kirk Jacob Reedy Elijah Finnegan

A Certificate from the Clerk of the Circuit Court for the District of Kentucky stating that an appeal had been taken in this case in May Term 1819 from the decree of the said Circuit Court having been pronounced and filed stating that the Records on the said appeal had not been filed.

On Motion of Mr Harris of Counsel for the defendants. It is ordered that the said appeal be and the same is hereby dismissed with costs.

Monday February 12th 1821 Court

Peter Randolph Bernett
Taylor and Susanna his wife
Edmonia Preston
Daniel & Lucy his wife heirs
at Law of Edmund Randolph dec'd
vs
Richard Taylor, John Keir,
Reuben Taylor, William Baxter
John Miller Junr. Jacob Reay
George R. & Floyd & John Floyd.

A Certificate from the Clerk of Circuit Court of the District of Kentucky, stating that an appeal had been taken in this case in May Terms 1819 from the decree of the said Circuit Court having been produced and filed and it appearing that the Record in said cause had not been filed.

On Motion of Mr Hearsen of Counsel for the Defendants. It is ordered that the said appeal be and the same is hereby dismissed with costs. —

Peter Randolph Bernett Taylor &
Susanna his wife. Edmonia Preston
Daniel & Lucy his wife heirs
at Law of Edmund Randolph dec'd
vs
Abraham Pate, Joseph Pate, William Pate
Jacob Pate, Ethel Fishback & Rebecca his
wife late Rebecca Pate, Daniel Bridges
Levin Lammies, Elias Long, Thos Ramsay
Joseph Pitten Fielding Murray, Jesse Murray
Reuben Murray, John Murray, Wm Murray
Lefee Murray, Elizabeth Murray, Phebe Murray
& Polly Murray heirs at Law of William Murray
deceased. William Pate Aaron Fontaine &
Abram Fay —

A Certificate from the Clerk of the Circuit Court for the District of Kentucky, stating for that an appeal had been taken in this case in May Terms 1819 from the decrees of the said Circuit Court having been produced and filed and it appearing that the Record in said cause had not been filed.

On Motion of Mr Hearsen of Counsel for the Defendants. It is ordered that the said appeal be and the same is hereby dismissed with costs. —

Monday February 13th 1821. Court

Joseph Kerr and others vs Job Wells	The cause was opened by Mr Scott for the plaintiffs

Proclamation being made in the Court is adjourned until tomorrow Morning at eleven O'clock. —

Tuesday Morning February 15th 1831 —

Present:

The Hon'ble:	John	Marshall	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
The Hon'ble	Thomas	Todd Esq	Assistant Justices.
	Gabriel	Duvall Esq	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

On motion first made in the Court on this behalf Nathaniel Hale Esquire is ordered to be admitted as an attorney and counsellor of this Court. —

P J & M D Barbour	This cause was argued by
vs	Mr. Barbour & Mr. Smyth
The Commonwealth of Virginia	for the defendants. ——

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock. —

Wednesday Morning February 14th 1821.

Present

The Hon'ble	John	Marshall,	Chief Justice.
The Hon'ble:	Brockholst	Livingston	Associate Justices.
	William	Johnson	
	Thomas	Todd	
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened this Morning at the Capitol pursuant to adjournment.

The United States
3 vs.
Charles Wilkins

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky, on certain questions upon which the opinions of the Judges of the said Circuit Court were opposed, and which were certified to this Court for their decision, by the Judges of the said Circuit Court and was argued by Counsel; On consideration whereof It is the opinion of the Court,

1. That upon the Contract made B the defendant is not entitled to the sums disallowed in the paper D. nor the sums specifically charged in the first and second items of the paper C. which were disallowed by the Treasury officers but is entitled to the sum charged in the third item of the paper C. which was disallowed by the same officers. if

Wednesday February 14th 1821. Lower C.

Fort Lafayette was within the exterior boundary of the Choctaw boundary.

2. That the defendant is not entitled as to the first and second claim in the further C on the ground that the place at which the steam mill is erected is not specially provided for in the contract, but that he has a right to claim that the sum allowed by the Secretary of War for those rations is not a reasonable compensation.

3 That upon such proof the defendant is entitled to a reasonable compensation for those rations to be ascertained by a Jury.

4 That the defendant ought to be permitted to claim a credit for the above sums and him in this court —

Joseph Kerr & others
vs
John Wyatt

This cause was further argued by Mr Scott for the plaintiffs and by Mr Kennon for the defendant —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock. -

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Thursday Morning February 15th 1821.

Present

The Honble	John	Marshall	Chief Justice.
	Brockholst	Livingston	
	William	Johnson	
The Honbles	Thomas	Todd	Associate Justices.
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

Josiah Galbraith
vs
Joseph Caruthers Piper
of Thomas Lexafer

The defendant in this cause filed a certificate from the Clerk of the Circuit Court for the District of Pennsylvania, Stating that a writ of error issued on the part of the said Josiah Galbraith in the above cause on the twelfth day of November Anno Domini One Thousand eight hundred and Nineteen returnable to the February Session 1820 of the Supreme Court of the United States, and it appearing that the Record in said cause has not been filed in said Supreme Court.
On Motion of Mr Sergeant of Counsel for the defendant It is ordered that the writ of Error in this cause be and the same is hereby dismissed.

Thursday February 13th 1851 Court P

Joseph Kerr Esqrs vs Solomon Leavitt	This Cause coming on for the argument by Mr Harding for the Defendant & by Mr Bush for the Plaintiff.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. —

Friday Morning February 16th 1821

Present

His Honble	John	Marshall	Chief Justice
His Honbles	Brockholst	Livingston	associate Justices
	William	Johnson	
	Thomas	Todd	
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened this Morning at the usual hour pursuant to adjournment —

Joseph Kerr Pltff in Err vs John Watts Deft in Err	This cause came further on to be argued by Mr Wirt for the Pltff in Err & Duff for the Deft in Err —

John Green's Heirs Pltff in Err vs Richard Biddle Deft in Err	This cause was argued by Mr Key for the Pltff in Err

Joseph Smith Pltff in Err vs The Mineral Steamboat Company Deft in Err	This cause was also argued by Mr Raymond for the Pltff in Err —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock —

Saturday Morning February 17th 1821—

Present

The Honorable	John	Marshall	chief Justice
	Bushrod	Washington	
	William	Johnson	
The Court	Thomas	Todd	associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the hospital fireside to adjourn—ment.—

Joseph Smith & others vs The Insurance Insurance Company—	This Cause was further argued by Mr Ogden & Mr Prentiss for the defendants and by Mr Emmet for the plaintiffs

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The Bearer of the Robert Edmunds — vs The United States	This Cause was argued by Mr Raymond and Mr Ulman for the Claimant and by the Attorney General for the defendant

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Saturday February 17th 1821 - Cont'd.

Sarah Rose Executrix of Samuel Blight
was sworn by the Court. Michael K
Anthony Thomas Anthony William
H Smith were Bail for the Defendants
Joseph R Kellogg William Kellogg
Kenneth Kellogg Mann Kellogg
Enoch Forrest Elizabeth Donnough
Ann Dunlap and Charlotte Dunlap
Joseph Parkham & Henrietta his wife
Fortune Donnough and Elizabeth his
wife Henry Reed & Deborah his wife
Mary Ann Kellogg & Isaac Reed.

34.

John Rochester —

The plaintiffs in this
Cause being solem-
nly called and not
appearing, on Motion
of Mr Hardin of
Counsels for the
Defendants It is Or-
dered that the writ
of Error in this case
be and the Same
is hereby dismissed
with Costs.

(Order Struck out)

Proclamation being made the Court is adjourned
until Monday Morning next at eleven Oclock. —

Monday Morning February 19th 1821.

Present

The Honorable John Marshall chief Justice.

	Bushrod	Washington	
	William	Johnson	
The Houble	Thomas	Todd	assocate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this Morning at the Capitol pursuant to adjournments

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P. D. & Mr. D. Cohens vs The Commonwealth of Virginia —	This Cause was further argued by Mr Ogden and Mr Pinkney for the defendants & Plaintiffs.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Tuesday Morning February 20th 1821

Present

The Honorable John Marshall Chief Justice.

	Brockholst	Livingston	
	William	Johnson	
The Honorable	Thomas	Todd	Associate Justices.
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment —

P D & Mr I. Coles
vs
The Commonwealth of Virginia

This cause was further argued by Mr Barbour for the defendant —

Jeremiah Hughes
vs
George Blake

This cause was opened by Mr Pinkney for the plaintiff

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock —

Wednesday Morning February 21st 1821 —

Present —

The Honorable	John	Marshall	Chief Justice.
The Honorable:	Bushrod	Washington	Associate Justices
	William	Johnson	
	Thomas	Todd	
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment

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Peter Kline, Frances Grant
Isaac Grant, John Mann
Christian Hammer, Henry Fulbaugh
Peter Brett Mountz, John
Hollenback Assignees of Andrew
Gayford John Lenty Sheriff of the County
in pursuance of the powers of Letters plaintiffs
vs
John Lenn Fifer of John Lenn & Real Plaintiff

This Cause coming on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania & was argued by Counsel on consideration whereof It is adjudged & ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs

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Samuel Houghes
vs
George Blake

This Cause was further argued by Mr Meredith & Mr Sergeant for the Defendant in Error & by Mr Pinkney for the Plaintiff

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Proclamation being made the Court is adjourned until to Morrow Morning at eleven O'Clock —

Thursday Morning February 23rd 1811.

Present.

The Honorable John Marshall Chief Justice.

The Honble: Brockholst Livingston, William Johnson, Thomas Todd, Gabriel Duvall & Joseph Story Associate Justices.

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment. —

The Barque Amiable Isabella & Cargo. Alonzo Benigno Barnes vs. Thos Claimants. —

& 8.

The Libellants appellants and Cross appellees Thomas Rogers

This Cause came on to be heard on the Transcript of the Records of the District Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof It is decreed and ordered that the decree of the said District Court in this cause condemning the said Barque or vessel called the Amiable Isabella together with her Cargo &c as good and lawful prize of war to the Captors be and the same is hereby affirmed with Costs. —

Thursday February 22nd 1821 - Court

John Young v.
&
William Schaller
William F Bryan &
Timothy M Bryan

This cause came on to be heard on the Transcript of the Record of the Provincial Court for the District of Lower Canada and was argued by Counsel on consideration whereof It is adjudged and ordered that the Judgment of the said Provincial Court in this case be and the same is hereby affirmed with Costs and damages at the rate of Six per centum per annum including interest on the amount of the Judgment of the said Provincial Court. —

Samuel Hughes
&
George Blake

Mr Pinkney concluded the argument in this Cause —

The Schooner Collector and Cargo John Lechmere and others Claimants
&
Thomas Rutter admr

This Cause was opened by Mr Mitchell. —

Proclamation being made the Court is adjourned until to-morrow at eleven O'clock.

Friday Morning February 23d 1821.

Present

The Honorable	John	Marshall	Chief Justice.
	Brockholst	Livingston	
	William	Johnson	
The Honble:	Thomas	Todd	assocate Justices.
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol. pursuant to adjournment.—

The Schooner Collector & Cargo vs Thomas Rutter's admrs	This cause was further argued by Mr Wheaton & Mr Pinkney for the defendant and by Mr Mitchell for the plaintiffs.

Wilhelmus Willink vs Jno Hollingsworth & others	This cause was argued by Mr Ogden for the defendant & by Mr Wirt for the plaintiff.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.—

Saturday Morning February 21st 1801.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Assistants Thomas Todd
James Sprowell Jr.
Joseph Story

Proclamation being made the Court is adjourned
'till Monday morning at the Capitol pursuant to adjournment.

Wilhelmus Willink
&
Jans Hollingsworth
Hollins —

This cause was further
argued by Mr Hopkinson
for the defendants and
by Mr Pinkney for the pltffs.

On Motion first made to the Court in the case of
Richard R Hoods and Simon Gale Esquires are
ordered to be admitted to practice as Attorneys and
Counsellors at this Court. —

Proclamation being made the Court is adjourned
until Monday morning next at eleven O'clock. —

Monday Morning February 26th 1821. —

Present

The Honorable	John Marshall	Chief Justice	
	Brockholst	Livingston	
	William	Johnson	
The Honorable	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

On Motion first made to the Court in this behalf William M Wood Esquire is ordered to be admitted to practice as an attorney and Counsellor of this Court.

Joseph Smith Amos Hubbell
Samuel Adams Lawrence
Charles H Pond and Adam Pond.
vs.
The Universal Insurance
Company —

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Maryland and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs —

Monday February 26th 1821. Cont'd

Certain goods wares & Merchandizes imported in the ship Robert Edwards. Ann Savage Claimant

vs.

The United States

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of South Carolina, and was argued by Counsels, on consideration whereof, It is decreed and ordered that the decree of the said Circuit Court in this Cause, be and the same is hereby affirmed with Costs. —

The United States and James Barnes Esqr the owners of Sloop and Crew of Private armed Brig Perryadon

vs

The Bills Cargoes & 972 Casks of Brandy part of her Cargo Fernando Malaganba late Cascail of Spain. Claimant

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Rhode Island, and was argued by Counsel. On consideration whereof It is decreed and ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs. as to James Barnes and others. —

Monday February 26th 1821. Contd

The United States & James Barnes & others the owners officers & Crew of the private armed Brig Prevenzon
26. vs
Fifty Nine Casks of Brandy &c
Bernado Malagamba Vice Consul of Spain. Claimants

This Cause came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of Rhode Island, and was argued by Counsel,

On consideration Whereof It is decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs as to James Barnes and others. —

The United States
26. vs
Nine pieces of Calico &c
Bernado Malagamba Vice Consul of Spain. Claimant

This Cause came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of Rhode Island, and was argued by Counsel on consideration Whereof It is decreed and ordered that the decree of the said Circuit Court in this Cause be and the same is hereby affirmed with costs as to James Barnes and others. —

Monday February 26th 1891 Cont'd

The Brigantine Bella Commo
Cargo &c
vs
James Barnes & others Claimants
28.
vs
Benito de Galaganba. Vice
Consul of Spain

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel, on consideration whereof it is decreed and ordered that the decree of the said Circuit Court in this Cause be and the same is hereby affirmed with Costs vs. James Barnes and others. —

The United States vs James Barnes & others the owners officers & crew of the private armed Brig Pennyson
28.
vs
The Bella Commo & Cargo
Bernado Malaganba Vice Consul of Spain. Claimant

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel, on consideration whereof. It is decreed and ordered that the decree of the said Circuit Court in this Cause be and the same is hereby affirmed with Costs vs. James Barnes & others. —

Monday February 26th 1821. Court

The United States, & James Barnes and others vs Emanuel Rodrigues and others. —

38. vs

The Bella Commes & Cargo Bernardo Malagamba, late Consul of Spain Claimant —

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the district of Rhode Island, and was argued by Counsel On consideration whereof It is decreed and ordered, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs against Barnes & others, except so far as relates to the Libel for Salvage of Emanuel Rodrigues, Emanuel Joseph, Emanuel Barbarous, Anthony Joseph and Joseph Spagro who formed no part of the Crew of the private Armed Brig Perseverance, and so far as so much of the said decree as relates to the said Libellants Emanuel Rodrigues & others. It is further decreed and ordered, by consent of parties by their Counsel, that the decree of the said Circuit Court be and the same is hereby reversed and annulled, and it is further ordered that the said cause be remanded to the said Circuit Court for further enquiry, and that the proceeds of the said Bella Commes and Cargo lie in the Registry of the said Circuit Court to be paid over under the order of that Court to the Spanish Owners as interest shall be made to appear. —

Monday February 26th 1821 – Court a

John Anderson vs Thomas Lewis	This Cause was argued by Mr Hall for the plaintiff and by Mr Lewis & Mr Mintz for the Defendant.

Proclamation being made the Court is adjourned until to-morrow Morning at eleven o'clock.

Tuesday Morning February 21st 1821.

Present

The Honorable John Marshall, Chief Justice.

The Honorable Brockholst Livingston
William Johnson
Thomas Todd
Gabriel Duvall &
Joseph Story

associate Justices

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

John Finney
143. vs
Thomas Robinson
Thomas Williams &
Jacob Philpot

The defendants in this case filed a certificate from the Clerk of the District Court for the District of Kentucky stating that a writ of error issued on the part of the said John Finney in the above cause on the 14th day of April Anno Domini 1819 returnable to the February term of the Supreme Court of the United States 1820, and it appearing that the Record in said cause has not been filed in the said Supreme Court on Motion of Mr Hardin of Counsel for the said defendants, It is ordered that the writ of error in this cause be and the same is hereby dismissed. It appearing that the said writ is in a Cause in which a writ of error will not lie

Tuesday February 27th 1821 Cont.d

Telfe. Tates Counsel of Spain on behalf of the owners of the Libre and Cargo
vs.
Certain Goods &c part of the Cargo of said Schooner Libre

This Cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel on the part of the Appellants on consideration whereof, It appears to the Court that the facts agreed upon on the Record are not sufficiently explicit. It is therefore decreed and ordered, that the decree of the said District Court in this case be and the same is hereby reversed and annulled; and it is further ordered that the said cause be remanded to the said District Court for further proceedings to be had therein according to Law.—

Telfe. Tates Counsel of Spain on behalf of the Spanish Owners of the Schooner Teresa Cruz & Cargo
47.
vs.
Thirteen Packages of the Cargo of the said Schooner Cotton Merchandize

This Cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel on the part of the Appellants On consideration whereof, It appears to the Court that the facts agreed upon on the Record are not sufficiently explicit. It is therefore decreed and ordered that the decree of the said District Court in this case be and the same is hereby reversed and annulled; and it is further ordered that the said cause be remanded to the said District Court for further proceedings to be had therein according to Law.—

Tuesday February 27th 1821 Court adj

George Vaughan's admrs
vs
Michael Grahl's admrs

This Cause was argued by Mr Ogden for the plaintiffs & by Mr Sergeant for the defendants.

Proclamations being made the Court is adjourned until tomorrow Morning at eleven Oclock. —

Wednesday Morning February 28th 1821.

Present—

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
The Honble:	Thomas	Todd	Associate Justices.
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the hour fixed for the adjournment —

George Baughman &c. Appts
vs
Michael Ograly &c. Appt

This cause was further argued by Mr. Pinkney for the appellant and by Mr. Mercer for the plaintiff.

Proclamation being made the Court is adjourned until to-morrow Morning at eleven O'clock. —

Thursday Morning March 1st 1821.

Present—

The Honorable John Marshall Chief Justice
Brockholst Livingston
William Johnson
The Hon'ble Thomas Todd Associate Justices
Gabriel Duvall
Joseph Story—

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

George Croghan's Adm'rs
vs
Michael Gratz's adm'rs

This cause was further argued by Mr Winchester for the plaintiff—

John Green
vs
James Watkins & others

This cause was argued by Mr Rowan for the defendants.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.—

Friday Morning March 2d 1821. —

Present

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
The Hon'ble:	Thomas	Todd	associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this Morning at the Capitol pursuant to adjournment.

On Motion it is ordered that Henry Francis Hunt Esquire be admitted to practice as an attorney and counsellor of this Court.

John Wilmot one of the Claimants of the Schooner Ballista and Cargo. —
32. vs
Thomas Rutter Executor of Thomas Rutter. —

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Maryland and was argued by Counsel, on consideration whereof, It is Decreed and Ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs. —

Friday March 2nd 1821. Cont'd

John Anderson vs Thomas Swann.	This cause came on to be heard on the Transcript of the Records of the Circuit Court for the District of Columbia in the County of Washington, and was argued by Counsel. On consideration whereof, It is adjudged and Ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs —
P. I. & Mr. I. Cohen vs The Commonwealth of Virginia	This cause was argued by Mr Ogden and Mr Hunt for the Plaintiffs and by Mr Hopkins for the defendants —
William McClung vs Mosby Pillsman	This cause was argued by Mr Hoffe for the Plaintiff. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.

Saturday Morning March 3rd 1821. —

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Hon'bles: Thomas Todd Associate Justices.
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened this morning at the usual hour of adjournment. —

On Motion being first made to the Court on behalf of Wm. H. Chapman and Wm. Freeman Esquires are ordered to be admitted to practice as Attorneys and Counsellors of this Court. —

Elisha Riggs
vs
The President and Directors of the Union Bank of Georgetown —

By consent of the parties this cause is continued to the next Term.

William Cranch
vs
Wm. Bryan Peltz —

The cause was submitted by Mr. Sellman & Mr. Swift for the plaintiff and by Mr. Key for the defendant.

Proclamation being made the Court is adjourned until Monday morning next at eleven O'clock. —

Monday Morning March 5th 1821.—

Present—

The Honorable John Marshall, chief Justice
Bushrod Washington
William Johnson
The Hon'ble. Thomas Todd associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

On Motion first made to the Court in this behalf Archibald Loaden and John M. Taylor Esquires are ordered to be admitted to practice as attorneys and counsellors at this Court.—

Betsey Green William Green
John Smith T. Executor &c. vs. Lewis
Duff Green John Green Executors
Graham & Peter Executors Betsey
Green, Wm. M. Green, Martha Green
Willis Green Executors of John Green dec'd
4. vs.
Richard Riddle.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky on certain questions upon which the opinions of the Judges of the same Circuit Court were opposed and which were certified to this Court for their decision by the Judges of the said Circuit Court, and was argued by counsel. On consideration whereof, It is the opinion of this Court That the act of Kentucky

Monday March 1st 1802. Cont'd

of 1797 and 1819 are a violation of the Constitution of the United States and are therefore unconstitutional. This opinion renders it unnecessary to give any opinion on the second question certified from Circuit Court.

Judge Todd did not sit in this Cause.

Philip G. Cochran & Wife
vs
D. Cochran
101 -
The Commonwealth of Virginia

This cause came on to be heard on the Transcript of the Record of the Quarterly Session Court for the County of Fairfax in the Commonwealth of Virginia and was argued by Counsel on Consideration whereof, It is adjudged and ordered, that the Judgment of the said Quarterly Session Court in this cause be and the same is hereby affirmed with Costs.

This Court adjourned for two days to attend the inauguration of the President of the United States.

The United States
vs
Lewis Daniel

This Cause was opened by Mr. Hunt for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.

Tuesday Morning January 6th 1824

Present

The Honorable Judges — Marshall Chief Justice —
Brockholst Livingston
William Johnson
Thos Todd
Gabriel Duvall
Joseph Story

Proclamation being made the Court is adjourned by Crier
Morning at the Capital. Tomorrow to adjourn —

On Motion first made to the Court in Behalf of Geo Hay Esquire is ordered to be admitted to practice as an Attorney and Counsellor of this Court —

The United States
vs
Lewis Daniel

This Cause was further argued by the Attorney General for the Plaintiff & by Mr Hunt for the Deft

Don Antonio Argalla
Bellalobos
vs
The Schooner Exchange
& 200 Bags of Sugar

This Cause was argued by Mr Hopkinson for the Plaintiff and by Mr Winder for the Defendants —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock —

Wednesday Morning March 7th 1821

Present

The Honorables John Marshall Chief Justice
Brockholst Livingston
William Johnson
The Hon'ble Thomas Todd associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened this morning at the Capitol & proceeds to argument

Don Antonio Argelli
Vallalabos
vs
The Schooner Exmington
and 900 Bags of Sugar

This cause was further argued by Mr Meredith for the defendant and by Mr Hewit for the Plaintiffs

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Thursday Morning March 8th 1821 —

Present —

The Honorable	John Brockholst	Marshall Livingston	Chief Justice
	William	Johnson.	
The Honble	Thomas	Todd	Associate Justices
	Gabriel	Duvall &	
	Joseph	Story —	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment. —

Don Antonio Argelli
Villalobas
vs.
The Schooner Conception
Thomas Jones Master &c
Claimants. —

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of South Carolina and the further proof in the cause and was argued by Counsel on consideration whereof; It is decreed and ordered, That the decree of the said Circuit Court in this cause dismissing the Libel and restoring the property to the Claimants be and the same is hereby reversed and annulled and the Court proceeding to pass such decree as the said Circuit Court should have passed; It is further decreed and ordered, That the proceeds of the said Schooner Conception and Cargo be awarded to the Libellant to be paid over unto one of the said Circuit Court to the original Spanish owners, as Interest shall be made to appear. —

Thursday March 8th 1821 - Cont'd

Wilhelmus Willink.
Jan Willink Wm Willems
Willink Junr & Jan Willink & Junr
vs.
Levi Hollingsworth Andrew Colquhoun. Amos A Williams and John Mc Kim Junior.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the fourth Circuit and District of Maryland, and on the point on which the Judges of that Court were divided, and was argued by Counsel on consideration whereof this Court is of opinion that the plaintiffs have a remedy in law against the defendants which can be maintained in the action now depending in the Circuit Court and that the defendants are not entitled to a perpetual injunction from the same for the amount of any bills which may have been sustained by them, by reason of the alteration in the destination of the Ship Ceres to St Petersburg, and the Cargo on board her at Amsterdam - which opinion is directed to be certified to the Circuit Court of the United States for the fourth Circuit and District of Maryland -

The United States
vs.
Junr & Phelps Executors
Isaac & John G Tunnicliff
Admrs of Walter Shelton dec'd

In this cause the Record is by the parties by consent & the cause is remanded by like consent to the Circuit Court for the District of Pennsylvania with an agreement that Judgment be rendered for the United States for such sums as shall remain in the hands of said Phelps (if any) of the effects of Walter Shelton, after first satisfying therefrom the debts due to the United States

Thursday March 8th 1821. Cont.d

William McElvany
10. vs
Wyllys Gillimans

This Cause came on to be heard on the Transcript of the Record of the Supreme Court of the State of Ohio for Muskingum County and was argued by Counsel, On consideration whereof, It is adjudged and ordered that the Judgment of the said Supreme Court of the State of Ohio be and the same is hereby affirmed with costs, It being the opinion of this Court that the said Supreme Court of the State of Ohio had no authority to issue a mandamus in this Case. —

William McElvany
104. vs
Wyllys Gillimans

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio, and was argued by Counsel On consideration whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this Cause be and the same is hereby affirmed with costs. —

William McElvany
105. vs
Wyllys Gillimans

This Cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio and was argued by Counsel, on consideration whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this Cause be and the same is hereby affirmed with costs. —

Thursday March 8th 1821 Cont'd

The Owners Officers & Crew of the Schooner Jacquett
1315 vs
The Schooner Fly & Cargo

The defendants Solicitor in this cause, filed a certificate from the Clerk of the Circuit Court of the District of South Carolina stating that an appeal had been allowed on the 12th day of May Anno Domini 1818 on the application of the Libellants and it appearing that the Record had been filed in the Supreme Court in such appeals, on motion of Mr Wheaton of Counsel, for the defendants & Claimants It is ordered, that the appeals in this cause be and the same is hereby dismissed.—

General Rules of Practice.

Whenever pending a writ of error or appeals in this Court either party shall die the proper Representatives or the personalty or realty of the deceased party, according to the nature of the case, may voluntarily come in and be admitted as parties to the suit— and thereupon the cause shall be heard and determined as in other cases, and if such Representatives shall not voluntarily become parties, then the other party may suggest the death on the Record and thereupon an Order shall issue that unless such Representatives shall become parties within the first ten days of the ensuing term [illegible] the party moving for such order if defendant in error, he shall be entitled to open the record and on hearing have the same reversed if it be erroneous. Provided however that a copy of every such order shall be printed in some News paper at

Thursday March 8th 1821 Court

the Seat of Government in which the Laws of the United States shall be printed by authority for three successive weeks at at least sixty days before the beginning of the Term of the Supreme Court then next ensuing. —

John L Sullivan & others
vs
The Fulton Steam Boat Company —

On motion of the appellants by their Counsel and on inspection of the Transcript of the Record of the Circuit Court of the Southern District of New York. It is decreed and ordered that the decree of the said Circuit Court be affirmed with costs appearing from the Record that the Circuit Court had Jurisdiction in the said Cause. the said affirmance to be without prejudice to the complainants on the merits of the case. —

Andrew Bartle
vs
George Coleman

This Cause was argued by Mr Emmet for the plaintiff & by Mr Jones & Mr Taylor for the defendants

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock —

Friday Morning March 9th 1821 —

Present —

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honorable:	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment —

William Hodgson use of Edmund Lees — vs The Marine Insurance Company —

This cause was argued by Mr. Swann and Mr. Jones for the plaintiff and by Mr. Lee and by Mr. Wirt for the defendants. —

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock —

Saturday Morning March 10th 1821 —

Present —

The Honorable John	Marshall	Chief Justice	
	Bushrod	Washington	
	William	Johnson	
The Hon'ble:	Thomas	Todd	Associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamations having been made the Court is opened this morning at the Capitol, pursuant to adjournment

Samuel	Houghes	This cause came on to be heard on the Transcript of the Record and
3/.	vs	of the Circuit Court for the District
George	Blake	of Massachusetts and was argued

by Counsel on consideration whereof. It is ordered and adjudged that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Uncle Toby Depee of		On motion of the appellant by his
Isabella	McCreery	Counsel. It is ordered that this
77.	vs	cause be and the same is hereby
Henry & Fauconnelle		dismissed — And it is further or-

dered that the said appellant have leave to withdraw the Records filed in this cause. —

Saturday March 10th 1821 Term

Walter Buchanan
&c
Keyser Grady & others

This cause was argued by Mr Hamlin for the Plaintiff and by Mr Sergeant for the defendants.

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock —

General Rule. March 10th 1821 —

Ordered that after the present Term no cause standing for argument will be heard by the Court until the parties shall have furnished the Court with a printed brief or abstract of the cause containing the substance of all the material pleadings, facts and documents on which the parties rely, and the points of law and facts intended to be presented at the argument —

Monday Morning March 12th 1821.—

Present—

The Honorable	John	Marshall	Chief Justice
	Brockholst	Livingston	
	William	Johnson	
The Honble	Thomas	Todd	Associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamations being made the Court is opened this Morning at the hospital pursuant to adjournment —

Samuel	Burke and	This cause came on to be heard
Anthony	Rhodes	on the Transcript of the Record
"	"	of the Circuit Court for the
George	Coleman	District of Columbia and

was argued by Counsel, on Consideration whereof It is ordered and adjudged that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, And it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law —

Monday March 13th 1820 - Contd

Andrew Bartle
vs
George Leslie

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria, and was argued by Counsel on consideration whereof: It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be, and the same is hereby reversed and annulled, and it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law. —

Lee ex dem Parsons Heirs
vs
Harman Bowman

This cause was argued by Mr Harman for the plaintiffs and by Mr Talbot for the defendant —

Washington Bowie
vs
Alexander Hamersley
Lenox Ard —

This cause was argued by Mr Swann & Mr Jones for the plaintiffs and by Mr Taylor for the defendants

Proclamation being made, the Court is adjourned until tomorrow morning at eleven O'clock —

Tuesday Morning March 13th 1821—

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble	Thomas	Todd	Associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment.

George W. Parmett admr
de bonis non with the will
annexed of George Brogham dec?
39. vs
Simon Gratz, Joseph Gratz and
Jacob Gratz admrs of Michael
Gratz deceased. —

And

Simon Gratz Joseph Gratz and
Jacob Gratz admrs of Michael
Gratz deceased
40. vs
George W. Parmett admr de
bonis non of with the will
annexed of Geo: Brogham dec?

These causes being Cross appeals
came on to be heard at the same
time on the Transcript of the
Record of the Circuit Court
for the District of Pennsylvania
and were argued by Counsel
on consideration whereof;
It is ordered and decreed,
that the decree of the said Cir-
cuit Court in the premises be
and the same is hereby reversed,
and this Court proceeding to pass
such decree as the said Circuit
Court should have passed,
It is further ordered and
decreed that the decree com-
plainants bill be and the

Tuesday March 13th 1821 Cont.d

matters contained therein be and the same is hereby reversed, and that a Mandate issue to the said Circuit Court to direct the same accordingly without costs.—

The United States
126. vs
Francis Daniel

This cause came on to be heard on the Transcript of the Record and on the points on which the Judges in the Circuit Court were opposed in opinion, and was argued by counsel. On consideration whereof this Court is of opinion that there is no error in the Record and proceedings of the Circuit Court for which Judgment ought to be reversed and that this Court is further of opinion that a question of the Jurisdiction of the Circuit Court on a motion for a new trial is not one of those questions of opinion which is to be certified to this Court for its decision under the act entitled an act to amend the judicial System of the United States. All which is ordered to be certified to the United States Circuit Court for the Eighth Circuit and District of South Carolina.—

Washington
55. vs
Alexander Hanna
Leslie Auld

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria and was argued by Counsel. On consideration whereof It is ordered and decreed that the decree of the said Circuit Court in this cause be & the same is hereby af-

Tuesday March 13th 1821 – Contd

Samuel Heaward vs Achilles Murray junior of Ottawa & Murray	This cause came on to be heard on the Transcript of the Record of the Provincial Court for the District of Georgian Bay consideration whereof and by consent of parties by their Counsels, It is adjudged and ordered that the Judgment of the said Provincial Court in this cause be and the same is hereby reversed and annulled – and it is further ordered that the said cause be remanded to the said Provincial Court with directions to proceed as to right and justice may appertain –

The Heirs of Justus Miller vs Presley Merrille Rathbun	This cause was argued by Mr Brush for the plaintiffs and by Mr Ludwidge & Mr Scott for the defendants. –

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock –

Wednesday Morning March 14th 1821—

Present

The Honorable	John	Marshall	Chief Justice
	Brockholst	Livingston	
	William	Johnson	
The Hon'ble	Thomas	Todd	assocate Justices
	Gabriel	Duvall U.S.	
	Joseph	Story	

Proclamation being made the Court is opened this Morning at the Capitol pursuant to adjournment—

General Rules

In all cases where a writ of error or an appeal shall be brought to this Court from any Judgment or decree more than thirty days before the Term to which such writ of error or appeal shall be returnable, it shall be the duty of the plaintiff in error or appellant, as the case may be to docket the cause and file the Record thereof with the Clerk of this Court within the first six days of the term unless for cause shown the defendant in error or appellee as the case may be may docket the cause and file a copy of the Record with the Clerk and thereupon the cause shall stand for trial in like manner as if the Record had been regularly filed within the first six days of the Term or at his option he may have the cause docketed and dismissed upon producing a certificate from the Clerk of the Court wherein the Judgment or decree was rendered stating the cause and certifying that such writ of error or appeal has been duly sued out & allowed—

Wednesday March 14th 1821. Cont'd

Belsey Green, William Green
John Smith & Thomas his wife
Duff Green, John Green, James
Barham, and Selitha his wife.
Belsey Green, Ann W. Green
Martha Green, Mellis Green
Lewis W. Green & Sarah P.
Green heirs of John Green dec'd
vs.
Richard Biddle

It is ordered by this Court that the Judgment entered in this case on the 5th inst. be struck out and that the cause be and the same is hereby reinstated and continued. —

See June 1818

The United States
vs.
6 Packages of Merchandize
Hugh K. Toler Claimant

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of New York and was argued by Counsel, On consideration whereof. It is decreed and ordered that the decree of the said Circuit Court reversing the decree of the District Court in this case be and the same is hereby reversed and annulled – and this Court proceeding to pass such decree as the said Circuit Court should have passed, It is further decreed and ordered that the decree of the District Court for the District of New York in this case condemning the said Six packages of Merchandize as forfeited to the use of the United States pursuant to the prayer of the Libel &c. be and the same is hereby affirmed.

Wednesday March 14th 1832. Court ad.

Walter Bracheans
vs
Nigmon Gaty. Simon Gaty
Thomas Gaty
Sarah Gaty. Tariff Gaty.
Jacob Gaty Thomas Gilling Richa
Sings, and Rachel. Moses heirs
and Representatives of Michael
Gaty deceased.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky, and was argued by Counsel, on consideration whereof. It is decreed and ordered that the decree of the said Circuit Court dismissing the complainants Bill be and the same is hereby affirmed. And it is further ordered that each party pay their own costs.

Lewis M'Lean
vs
Nathaniel Wallis

On motion of the appellant by his Counsel and on inspection of the Transcript of the Record of the Circuit Court for the District of Columbus in the County of Alexandria, It is ordered that the appeal in this cause be and the same is hereby dismissed. It not appearing that the matter in dispute exceeds the sum or value of One thousand dollars.

Bonnie & Kurtz
vs
Lohn Wheelwright

This cause was argued by Mr. Swann for the plaintiffs and by Mr Taylor for the defts

Wednesday March 11th 1831 Court of

John Gosszler
vs
The Corporation of
George Town.

This cause was argued by Mr Key for the plaintiff and by Mr Jones for the defendants.

The Union Bank
of George Town
vs
Thomas Hyde

This cause was argued by Mr Jones for the plaintiff and by Mr Key & Mr Lemmon for the defendant

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.

Thursday Morning March 15th 1821

Present

The Honorable	John	Marshall	chief Justice
	Brockholst	Livingston	
	William	Johnson	
The Honble:	Thomas	Todd	associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened this Morning at the Capitol pursuant to adjournment

George Beall
vs
Edmund Thompson
Surviving Partner of
Thompson & Davis

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia for the County of Washington on appeal and Whereof It is ordered that this appeal in this cause be and the same is hereby dismissed, it not appearing from the Record that there was a final decree in said Circuit Court from which said appeal was made.

Aaron Agnew
vs
Thomas Gibbons

This cause came on to be heard on the Transcript of the Record of the Court for the trial of impeachments and correction of errors of the State of New York on motion Whereof It is

Thursday March 15th 1821. Cont'd

Ordered that the appeal in this case be and the same is hereby dismissed, It not appearing from the Record that there was a final decree in said Cause from which said appeals was made. —

Gillett Miller, John Miller, Ogden Miller, Elisha Miller, Joseph Miller, Benjamin Miller, Charles Miller, Martha Ogden, Susanna Miller, heirs & Representatives of Lester Miller deceased & Amelia Miller & Mary Munn, the daughters and heirs of Obadiah Miller dec'd & Rachel Miller Widow of Jonathan Miller deceased.
vs.
Presley Neville, Isaac Craig, Amelia Craig & Joseph Kerr

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio, and was argued by Counsel On consideration whereof. It is decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed: And it is further ordered that each party pay their own costs. —

James Pullon & Robert Pullon Junr
vs.
Henry Nicholson

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Pennsylvania in the County of Alexandria on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgt of the said Circuit Court.

Thursday March 15th 1821. Cont'd

Amos	Alexander &		This cause came on to be
Ahiel	Rathbrook		heard on the Transcript of
&c	vs		the Record of the Circuit
David	Rolf	and	Court for the District of
Jonathan	Rolf	—	Columbia in the County of

Alexandria on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of five per centum per annum including interest on the amount of the Judgment of the said Circuit Court.

Richard	Taylor Lopez		This cause was argued by
	vs		Mr Scott and Mr Goodrich
George	Myers		for the plaintiff. and by Mr
			Brent for the defendant.

Proclamations being made the Court is adjourned until to morrow morning at eleven o'clock

Friday March 16th. 1821 —

Present —

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Hon'ble:	Thomas	Todd	Associate Justices
	Gabriel	Duvall	

Proclamation being made the Court is opened this morning at the Capitol pursuant to adjournment —

Joseph Finn, Ephraim Laclette Joseph Kirkpatrick Junr. Joseph Kirkpatrick Junr and Isabella Johnson James T Johnson Junr. Johnson and William C. Johnson Infant heirs of James Johnson dec'd by Henry Johnson their Guardian and next friend — Appellants

vs

John Wales. — Appellee

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio, and was argued by Counsel on consideration whereof It is ordered and adjudged that the decree of the said Circuit Court in this cause be and the same is hereby reversed as to the appellants in this case; and it is further ordered that the said cause be remanded to the said Circuit Court for further proceedings to be had therein according to law. —

Friday March 16th 1821. Present &c

The President & Directors of the Union Bank of the Town
vs
Thomas Hayden

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled; and it is further ordered that the said cause be remanded to the said Circuit Court with directions to award a venire facias &c.

William Hodgson use of
Frederick Reeds
vs
The Marine Insurance
Company of Alexandria

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of [illegible] and was argued by Counsel on consideration whereof. It is decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs.

Henry Clark, Jonathan Clark &
Madison Burt Kinsey
vs
John Jackson on the demise of
John Graham

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio and was argued by Counsel on consideration whereof. It is adjudged

Friday March 16th 1821 — Cont'd

and it is ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Johns Lees on the demise of John Preston Elizabeth Preston James Preston Jane McDonald and Sarah his wife James P Preston John Preston and Mary his wife John Floyd and Letitia his wife and Elizabeth and John Preston infant heirs of Thomas P. Preston deceased. —

18 Dis

Harman Bowman

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs. —

Williams Adms
64. Dis
Lyndes Wallis

This cause came on to be heard on the Transcript of the Record of the Supreme Judicial Court of the Commonwealth of Massachusetts and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the said Supreme Judicial Court of Massachusetts in this cause be and the same is hereby reversed and annulled. And it is further ordered that the said cause be remanded to the said Supreme Judicial Court of Massachusetts for further proceedings to be had therein according to law. c —

Friday March 16th 1871. Cont'd

Washington Bennett
John Hunter
56. vs
John McGunnigle

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia, in the County of Alexandria, and was argued by Counsel, on consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

John Gaegler.
63. vs
The Mayor. Aldermen & Common Council of the
George Town

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel, on consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs.

The Mutual Assurance Society against fire on buildings of the State of Virginia
85. vs
Foster Metcalf and Company

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of [illegible] and was argued by Counsels, on consideration whereof, It is ordered and decreed that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs.

Ordered

That all unfinished business of this Court be continued until the next Term. —

Proclamations being made the Court is adjourned until the time and place appointed by law —

August Term 1821

At a Supreme Court of the United States begun and held at the Capitol of the United States in the City of Washington being the present Seat of the National Government of the United States on the first Monday of August being the [blank] day of the same Month in the year of our Lord one Thousand eight hundred and twenty one, one and of the Independence of the United States the Forty Sixth Agreeable to the Statute in such case made and provided The Honble [illegible] one of the Associate Justices of the said Supreme Court and assignment of the fourth Circuit in the State of Maryland was present and the Clerk of the said Supreme Court attending; It is Ordered by the said Court that the following entries be made on the following actions Viz.

David	Pane. Sothers	Continued from last Term
1. vs		
Waller	Semmes Defts	Continued
Johns	Green	
2. vs		Continued from last Term
James	Hennessy	
Sothers —		Continued —
The United States		Continued from last Te—
3. vs		
Charles	Wilkins	Continued. —

August Term 1821.—

John Green's Exrs 3 cases	Continued from last Term.
Richard Biddle	Continued—
The Prussian Schooner Flying Fish Libelant & others 4. cases	Continued from last Term
The Schooner Experiment Mango. United States. Claimt	Continued.
John Green 5 cases	Continued from last Term.
James Meathins & others	Continued.
Silas Bullard 6 cases	Continued from last Term
Samuel Bell	Continued.
William Campbell 7 cases	Continued from last Term.
Paul. Francis & others	Continued.
The Brig Mary's Ann Jeremiah Pleuman Claimt 8 cases	Continued from last Term.
The United States	Continued.

August Term 1831.

Cadwallader and George Evans Exrs of O. Evans		Cont. from last Term
9.	vs	Continued
Isaac	Eaton	

Cadwallader and George Evans Exrs of O Evans		Cont. from last Term
10.	vs	Continued
George	Hodnett	

George	Buchanans Lessee	Continued from last Term
11	vs	
Sarah	Stewart devisee of	Continued.
Richardson	Stewart	

Samuels	Bleights Lessee	Cont. from last Term
12.	vs	
John	Rochester	Continued

John	Watts	Continued from last Term
13	vs	
Nathaniel	Conway & others	Continued

The	United States	
14.	vs	Continued from last Term
The Brig	Levine and Cargo	
Paul Schacon	Spanish Consul Claimt	Continued

August Term 1821. —

George Biscoe & others Claimants for Salvage 15. Libs	Continued from last Term.
The Brig Serino and Cargo Paul Cohacon Spanish Consul Claimant. —	Continued.
Samuel G. & C. Forrest & others Capturing Claimants 16 Libs	Continued from last Term
The Brig Serino and Cargo Paul Cohacon Spanish Consul Claimant	Continued
Butler Jackson 17. Libs	Continued from last Term.
Simms Filzhugh & others	Continued
Robert Hall and Philip Sigler Admrs of William Sigler dec'd 18. Libs	Continued from last Term
John Haywood Treasurer	Continued.
David Leastman & others 19. Libs	Continued from last Term
George F. Strother for Mary Kearney & others	Continued. —

August Term 1821.—

William Newson	Continued from last Term
20. do	
Norton Pryor & others	Continued.
Lefevre	

The United States	Continued from last Term
21. do	
William H. Robertson	Continued.

Samuel Buel	Continued from last Term
22. do	
Cornelius P Vanness	Continued.

John Ayerly & Thomas	
Neeadmeare	Continued from last Term
23. do	
Thomas & Isaac H. Graham	Continued

Peter Ricard	Continued from last Term
24. do	
Thomas Williams & others	Continued.

William Bayley &	
James P. Morrell	Continued from last Term
25. do	
James Greenleaf & others	Continued.

August Term 1821.—

John Taylor		Continued from last Term.
26		
Thomas and Samuel Fairfax.		Continued.
George	M. Ogden	Continued from last Term.
27.		
Peters	Sanders	Continued.
Joseph	Sanford & Lefferts	Continued from last Term.
28		
John.	Keese	Continued
The.	United States	Continued from last Term.
29.		
Sampler	Wilson	Continued.
René Michel Le Mesle. and another		Continued from last Term
30		
Henry	Grant's Exrs	Continued
Richard	Taylor's Lessee	Continued from last Term.
31.		
George	Rogers	Continued

August Term 1831.

Isham Bramden		Continued from last Term
32.		
Duncan Mc Arthur		Continued.
Eleazer Greely and		
Samuel Manly		Continued from last Term
33.		
The United States		Continued
James Sprague		Continued from last Term
34.		
Robert Culbertson		Continued —
& others —		
James Williams		Continued from last Term
35.		
The United States		Continued
John James and		
Richard Maris		Continued from last Term
36.		
John Lawler admr		Continued —
of Richard Lawler		
Andrew Kerr		Continued from last Term
37.		
Henry Fee —		Continued —

August Term 1821—

Andrew	Lovelace	Continued from last Term.
38	Cts	
Henry	Lee	Continued
Lucas	Elmonadof	Continued from last Term
39.	Cts	
Hubbard	Taylor & others	Continued
John	Mathews	
40.	Cts	Continued from last Term
Noah	Lowe and the	
Legal Representatives of		Continued ,
John	M^c^Intire Dec^d^	
Williams	Lockman	Continued from last Term.
41.	Cts	
Thursby	Cochran & Co	Continued
Robert	J. Taylor	Continued from last Term.
42.	Cts	
John	T. Mason	Continued.
Hannes	Gelaschaugh	Continued from last Term
43.	Cts	
Benjamin	G. Orr. —	Continued.—

August Term 1821.—

Alexander	M'Cormick	Continued from last Term
44	do	
David	Bates	Continued
William	Manning	Continued from last Term
45.	do	
Joseph	Brooks	Continued
The	United States	
46	do	Continued from last Term
The	Sloop Pitt	
Lewis	Havens & Co. Claimts	Continued
The	United States	
47	do	Continued from last Term
The	Cargo of the Sloop Pitt	
Lewis	Havens & Co. Claimts	Continued
Samuel	Brown & others	Continued from last Term
48.	do	
Ann	Jackson	Continued
William	Crockett & others	Continued from last Term
49.	do	
Thomas	Randolph Esqr.	Continued

August Term 1821.—

Jacky P. Polamus Pltfs		Continued from last Term
50.	vs	
John	Smith & others	Continued —

Philip . Laddridges Pltfs		
41	vs	Continued from last Term
John C Wright District		
Attorney. Thomas Thompson		Continued. —

George	Walkins Pltfs	Continued from last Term
52	vs	
Ann	W. Turner	Continued —

Hobbs	Herbert & others	Continued from last Term
53.	vs	
Edmund	Whitmore	Continued —

John	F. Richie & others	Continued from last Term
54	vs	
John	Tyler Junr	Continued. —

Edmund J. Lee and		Continued from last Term
Walter	Lowes	
55.	vs	
The Bank of Alexandria		Continued —

August Term 1821.—

Williams Byrd Page's Admrs	Continued from last Term
56. vs	Continued
The Bank of Alexandria	
James Taylor Senior	Continued from last Term.
57. vs	
Thomas & Jennings Jathers	Continued.
423 Casks of Lemons	
Hazard & Williams Claimts	Continued from last Term
58. vs	
The United States	Continued
Philip N. Nicholas	
Attorney General of Virginia	Continued from last Term
59. vs	
Richard L. Anderson	Continued
Henry Hughes use of	
Noah Talcott	Continued from last Term
60. vs	
The Union Insurance	Continued
Company of Maryland	

August Term 1821.—

The Corporation of the City of Washington vs. The Levy Court of Washington County	Continued from last Term. Continued. —
The Corporation of the City of Washington vs. The Levy Court of Washington County	Continued from last Term. Continued. —
Matthias Hoofnagle and others — vs. Richard C. Anderson	Continued from last Term Continued. —
Henry G. Gafaway vs. Josiah Starkey.	Continued from last Term. Continued. —
Thomas Corning vs. James Scott, & others	Continued from last Term Continued.
Diego Schaylor vs. Low Pabelow Schaeow	Continued from last Term Continued. —

August Term 1821.—

The Society for the propagation of the Gospel in foreign parts &c. vs. The Town of New Haven & Williams & Wheeler.	Continued from last Term.
Seth Spring & others vs. The South Carolina Insurance Company	Continued from last Term.
John & Samuel Clement of Gold & Silver Bullion &c vs. Joaquim Jose Vasques Samuel, General of Portugal, &c. The Grand Para & others	Continued from last Term.
Lemuel Gooch &c— Lemuel Burke Clement vs. Joaquim Zamorana	Continued from last Term.
The Brig Arrogante Barcelona & Cargo— Joseph Almeida Clement vs. John P. Benaben Consul of Spain	Continued from last Term.

August Term 1821.—

John B. Bernabeu in behalf of the King of Spain	Continued from last Term.
72. vs.	
The King (Negroes and John D. Daniels.—	Continued.—

The Ship (Maria Alhaye Mayo	
Williams Foster Claimant	Continued from last Term.
73. vs.	
J. J. Vasques Consul Gen.l of Portugal.—	Continued.

Twenty Boxes of Gold and Silver	
Bullion &c— John Wilson Claim.t	Continued from last Term.
74. vs.	
( ) Vasques Consul Gen.l of Portugal in behalf of the owners of the Ship Rayahaba Argos Mayo	Continued.—

The United States	Continued from last Term.
75. vs.	
The Brigantine La Irresistable John D. Daniels Claimant	Continued

Joshua Johnson & Thos I. Grahams Exrs	Continued from last Term
76. vs.	
Williams Mc Intosh	Continued.—

August Term 1821.

James	M. Baldwin & wife		Continued from last Term.
77			
Nathaniel	Mayfield & others		Continued —
William	M'Williams & others		Continued from last Term
78			
Samuel	Finley & others		Continued —
William	Fleckner		Continued from last Term
79			
The	Bank of the United States		Continued
William	Fleckner		Continued from last Term
80.			
The	Bank of the United States		Continued. —
Elizabeth	Machen & others		
Heirs of	John Machin dec'd		Continued from last Term.
81.			
Philemon	Thomas		Continued —
John	Stephens		Continued from last Term
82.			
Bayford	M'Cargo & others		Continued —
Francis	Sexton		Continued from last Term.
83.			
Joseph	Wheaton & wife		Continued —

August Term 1821.—

Jonathan Appler 84. vs Farmers use of Nicholas Fauman.—	Continued
Nicholas Glass 83. vs The Central Bank use of The Farmers & Mechanics Bank of George Town.	Continued

Proclamations being made the Court is adjourned to the time and place appointed by Law.—

February Term 1822-

At the Capital of the United States in the City of Washington and District of Columbia the present Seat of the National Government of the United States On the first Monday of February being the fourth day of the same Month in the year of our Lord one thousand eight hundred and twenty two And of the Independence of the United States the Forty eighth The Supreme Court of the United States met agreeably to Law. —

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble.	Thomas	Todd	Assocate Justices.
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being Made the Court is adjourned until tomorrow Morning at eleven O'clock. —

Tuesday Morning February 5th 1822. —

Pursuant to adjournment the Court met this morning at the Capitol. Present.

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble:	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened. —

On Motion Thomas Montgomery Esqr is ordered to be admitted to practice as an Attorney and Counsellor of this Court. —

John	Green's heirs	}	This cause was argued by
	vs		Mr Montgomery for the Plaintiffs
James	Watkins & others		& by Mr Harding for the Defendants.

Proclamation being made the Court is adjourned until to morrow morning at nine o'clock —

Wednesday February 6th 1822.—

Pursuant to adjournment the Court met this morning at the Capitol —

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble.	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened —

On motion first made to the Court. It is ordered, that Hugh L White, Samuel L Southard Robert Hayden and Alexander Hamilton Esquires be admitted to practice as Attorneys and Counsellors of this Court. —

William Hewson vs The Bishop of Norton Pryor & others	This cause was argued by Mr Law for the plaintiff and by Mr White and Mr Williams for the defendants —
John Taylor vs Thomas Sandiford & Samuel Sandiford	This cause was argued by Mr Jones for the plaintiff and by Mr Key for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Thursday Morning February 7th 1822.—

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble	Thomas	Todd	associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.—

On Motion first made to the Court. It is ordered. that B. F. Fear and Fleet Smith Esquires be admitted to practice as attornies and counsellors of this Court.—

John Lomax & Richard Mann vs Richard A Coalter & others	This cause was argued by Mr Stafford man and Mr Pinkney for the Plaintiffs & by Mr Clemens for the Defendants.—
Thomas Gallaher vs Benjamin Cox	This cause was argued by Mr Swan for the Plaintiff and by Mr Lomax for the Defendant.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Friday Morning February 8th 1822.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorables	John	Marshall	chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble	Thomas	Todd	associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation having been made the Court is opened.

Rene	Rochelle & Wife &	This cause came on to be
Rene	Rochelle	heard on the Transcript of
30.	ors	the Record and was argued
Thomas	W. Price &	by counsel. On consider-
Robert	Grant Exrs of	ation whereof, It is adjudged
Hary	Grant dec'd	and ordered that the judg-

ment of the said Circuit Court for the District of South Carolina in this cause be and the same is hereby affirmed with costs.

John Thomas Roberts &		This cause came on to be
Newton and Emma Roberts		heard on the Transcript
64	ors	of the Record and was
John	Doyle Exr	argued by Counsel, on

Consideration whereof

Friday February 8th 1822

It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia, in the County of Alexandria in this case be and the same is hereby affirmed with costs and damages at the rate of ten per centum per annum, including interest on the amount of the Judgment of the said Circuit Court —

Edmund I Lee &
Walter Jones
vs.
The President Directors &
Company of the Bank of
Alexandria —

This cause came on to be heard on the Transcript of the Record on consideration whereof and by consent of parties by their counsel It is adjudged and ordered that the Judgment of the Circuit Court for the District of Columbia in the County of Alexandria in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court —

William Byrd. Ex'r &c
vs.
The Bank of Alexandria

This cause was argued by Mr Lee and Mr Swann for the plaintiffs & by Mr Taylor for the defts.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock —

Saturday Morning February 9th 1822.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honbles:	Thomas	Todd	associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened —

John Hunt and Thomas Herbert vs Samuel Whittemore	By consent of parties it is adjudged and ordered that the writ of Error to the Circuit Court for the District of Columbia in the County of Alexandria in this case be and the same is hereby dismissed.

Ex parte John F. Kearney. —

Mr Jones filed a petition of John F Kearney an outlawry of the marshal of the District of Columbia and moved for a Habeas Corpus to be directed to said Marshall &c to have the body of said John F Kearney before the Court to shew cause why said John F Kearney should not be discharged from outlawry &c.

Which motion was argued by Mr Jones for the petitioner and by Mr Swann on behalf of the United States. —

Saturday February 9th 1822 —

John Wells
vs
Nathaniel Tinsley
& others —

This cause was argued by Mr Goddard for the Plaintiff, and by Mr Birch for the defendants —

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock —

Monday Morning February 11th 1822.

Present

The Honorable John Marshall, chief Justice.
Bushrod Washington
Brockholst Livingston
The Hon'ble: Thomas Todd
Gabriel Duvall
Joseph Story. — associate Justices.

Proclamation being made the Court is opened this morning at the hospital pursuant to adjournment.

William Crowson
vs.
John Senr. Defendt. in Error
Hugh John & Plaintf. Same
Patton & Crowson Same —

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of West Tennessee and was argued by Counsel. On consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

William Bayley &c
James F. Morrill
vs.
James Greenleaf Letters

This cause was argued by Mr Sims and Mr Key and for the Plaintiffs and by Mr Sims for the defendants —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Tuesday Morning February 12th 1822.—

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble	Thomas	Todd	Associate Justices.
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.—

On Motion first made to the Court It is ordered that J B Alexander — A W Taylor — G K Powell and Tilla Ho Fitzgerald Esquires be admitted to practice as Attorneys and Counsellors at this Court.—

John Taylor
&c. vs
Thomas Fauntleroy &
Samuel Fauntleroy

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington, and was argued by Counsel On consideration whereof It is the opinion of this Court that the said Circuit Court erred in instructing the Jury "that it was competent to the plaintiff to recover the said $1000 in this action unless they should be satisfied by the evidence that the defendants at the time of

Tuesday February 12th 1822 Cont'd

forging the money but expressly declared the same to be sufficient Grant thereof to be applied to the extinguishment of the $1800 due on simple contract."

It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and it is further ordered that the said cause be remanded to the said Circuit Court with directions to issue a mandamus accordingly.

John Yates on the demise of Richard Taylor
31. vs
George Myers

This cause came on to be heard on the facts agreed by the parties and on the questions on which the Judges of the Circuit Court were divided, and was argued by Counsel On consideration whereof this Court doth order, that it be certified to the Circuit Court of the United States for the District of Ohio. —

1st That the owner of a Survey made in conformity with the entry and not interfering with any other person's right may abandon his Survey after it has been returned —

2nd That the defendant on the facts stated in the case cannot protect himself at law under the act of Congress of the 2nd of March 1807 entitled "An act to extend the time for locating Virginia Military warrants for returning Surveys thereon to the office of the Secretary of the Department of War and

(appropriating)

Tuesday February 12th 1822 Court a

appropriating lands for the use of Schools in the Virginia Military reservation in lieu of those heretofore appropriated" and the several subsequent acts on the same subject.

John Smith & Eleanor his wife Betsey Green, William Green Duff Green John Green James Barker & Adeline his wife Betsey Green, Ann Green, Martha Green, Lucilla Green Lewis W Green & Fanda T his wife heirs of John Green deceased ——

vs.

James Watkins, John Samuels Mary Caroline & Samuel Caroline — Tenants

(See page 311)

This cause came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel. On consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs. —

Proclamation being made, the Court is adjourned until to morrow Morning at eleven Oclock. —

Wednesday Morning February 13th 1822.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorables	John	Marshall	Chief Justice.
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble	Thomas	Todd	assocs. Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.

On motion first made to the Court. It is ordered that R. B. Wright Esquire be admitted to practice as an attorney and counsellor of this Court.—

Peter Rascard
&c
Thomas Williams
&others ——

This cause was argued by Mr Ogden for the plaintiff and by Mr Jones for the defendants.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Thursday Morning February 14th 1822.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
Brockholst Livingston
The Honorable Thomas Todd associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened. –

On Motion first made to the Court It is ordered that Tarm D. Richardson Esquire be admitted to practice as an attorney and counsellor of this Court. –

Thomas Swann &
Edmund I. Lee Appts
of William Boyd. Page dec'd
36. vs
The President Directors and Company of the Bank of Alexandria

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria and was argued by Counsel, on consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled: And this Court proceeding to render such Judgment as the said Circuit Court should have rendered, It is further adjudged & ordered that Judgment be entered for the defendants in the said Circuit Court. –

Thursday February 14th 1822 Court sits

James Sprague
&c. vs
Robert Cuttleston
Thomas Fullimant
Thomas Moore, John
Enoch & Josiah Meigs

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of this cause was argued by Learned Counsel whereof it is ordered and adjudged that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs.—

Peter Recaud
vs
Thomas Williams
Esther. —

This cause was further argued by Mr Pinkney for the defendants

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock —

Friday Morning February 15th 1822.

Pursuant to adjournment the Court met this morning at the Capitol. —

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honbles	Thomas	Todd	Associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation having been made the Court is opened. —

Ex parte John F. Kearney. —

The Motion for a writ of Habeas Corpus in this cause is overruled, and the writ denied. —

John Ricard
vs
Thomas Williams
& others. —

This cause was further argued by Mr Pinkney for the defendants and by Mr Webster for the plaintiff. —

Proclamation having been made the Court is adjourned until to-morrow morning at eleven O'clock. —

Saturday Morning February 16th 1822

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honourable	John	Marshall	Chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble	Thomas	Todd	Assocd Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.

The Society for the propagation of the Gospel in foreign parts vs. The Town of New Haven &c

This cause was opened by Mr Hopkinson on the part of the Plaintiffs.

Proclamation being made the Court is adjourned until Monday Morning next at eleven Oclock

Monday Morning February 18th 1822.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble	Thomas	Todd	Assocate Justices.
	Gabriel	Duvall	
	Joseph	Story	

Proclamations being made the Court is opened. —

William	Bayley &	This cause came on to be heard
James	F Morrill	on the Transcript of the Record of
&c.	&c	the Circuit Court for the District
James	Greenleaf	of Columbia in the County of

Washington and was argued by Counsel, On consideration whereof, It is decreed and Ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Monday February 18th 1822 Cont.d

The Society for the Propagation of the Gospel &c Foreign Parts
vs
The Trustees of New Hampshire

This cause was further argued by Mr Lushington for the defendants and by Mr Hopkinson for the Plaffs.

Samuel Brown & Others
vs
Amasa Jackson

This cause was argued by Mr Mclean for the plaintiffs.—

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock.—

Tuesday Morning February 19th 1822

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	Brockholst	Livingston	
The Honble:	Thomas	Todd	associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened. —

Edmund Brown vs Jackson

This cause was further argued by Mr Ogden for the defendant and by Mr Webster for the plaintiffs. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. —

Wednesday Morning February 20th 1822

Pursuant to adjournment the Court met this morning at the Capitol.—

Present—

The Honorable John Marshall chief Justice.
Bushrod Washington
William Johnson
Brockholst Livingston
The Hon'ble Thomas Todd associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened.

John L. Daniels
vs
I. J. Vasquez &c
The Grand Para &c

This cause was argued by Mr Key for the plaintiff and by Mr Hoffman for the defendants.—

Lewis Burke
Claimant of Sundry Goods
vs
Joaquim Zamorano

This cause was argued by Mr Key for the plaintiff and by Mr Hoffman and Mr Harper for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock

Thursday Morning February 21st 1822.

Pursuant to adjournment the Court met this morning at the Capitol. —

Present

The Honorable	John	Marshall,	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble:	Thomas	Todd,	Associate Justices.
	Gabriel	Duvall &	
	Joseph	Story.	

Proclamation being made the Court is opened. —

On motion first made to the Court It is ordered that John Kinsley Smith and Jefferson Wood Esquires be admitted to practice as Attorneys and Counsellors of this Court. —

James W Boulden & wife
vs
Nathaniel Macon & others

This cause was argued by Mr Hammond for the Plaintiffs and by Mr Scott & Mr Key Bridge for the defendants.

The Duke Arcos & Marchioness
Viuda & Children Delamont
vs
John B Bernabeu Consul
General of Spain —

This cause was argued by Mr Key for the Plaintiffs and by Mr Hoffman for the defendants. —

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock —

Friday Morning February 22nd 1822.-

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall,	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble:	Thomas	Todd	Associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened.—

The Brig Arrogante
Barcelona &c Cargo
vs
John B. Bernabeu
Consul of Spain

This cause was further argued by Mr Hoffman and Mr Harper for the defendant, and by Mr Winder for the plaintiff.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.—

Saturday Morning February 23d 1822

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honorable	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.—

Jacky P. Blount's Lessee	:	This cause was argued by
vs		Mr Mitchell for the plaintiff
John Smith Tatum		& by Mr Hardin & Mr Clark
		for the defendants.—

Proclamation being made the Court is adjourned until Monday Morning next at eleven Oclock.—

Monday Morning February 28th 1822.—

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble	Thomas	Todd	Associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened.

Mathews Ramsay & others vs Richard & Anderson

This cause was argued by Mr Scott and Mr Dallas for the plaintiffs and by Mr Talbot & Mr Brent for the defendt.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.—

Tuesday Morning February 26th 1822.—

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble.	Thomas	Todd	associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.—

The Court being informed that William Rakney a gentleman of this Bar highly distinguished for his learning and his talents, departed this life last night in this City, the Judges have determined as a mark of their profound respect for his character and sincere grief for his loss to wear crape on the left arm for the residue of the Term and to adjourn for the purpose of paying the last tribute to his remains by attending them from the House of his death.—

Proclamation being made the Court is adjourned until tomorrow morning at twelve Oclock.—

Wednesday Morning February 2d. 1822 –

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.

On Motion first made to the Court It is ordered that Henry D. Ramsay, Jacob Sutherland & Geo. W. Duffie are Permitted to plead Severally be admitted to practice as Attorneys and Counsellors of this Court. –

Diego Chayter
&c
&c
Dow Pablo Chacon

This cause was opened by Mr. Merriam.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock –

Thursday Morning February 28th 1793.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall Chief	Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble:	Thomas	Todd	associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened —

Peter Recard
&
Thomas Williams.
Mehumabird Williams
& William H. Fenner

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Connecticut, and was argued by Counsel. On Consideration whereof. This Court is of opinion that the said Circuit Court erred in the instructions given to the Jury in the trial of said cause, It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled; and it is further ordered that the said cause be remanded to the said Circuit Court with instructions to issue a venire facias de novo.

Thursday 28th February 1822. Cont.

Lugo Schayta vs Lon Pablon Chacon	This cause was further argued by Mr Meinder for the plaintiff and by Mr Lazeville for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclk. —

Friday Morning March. 1st 1822:—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble:	Thomas	Todd	associate Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened —

John	Hoole	This cause came on to be
13	vs	heard on the Transcript of
Nathaniel	Twining	the Record of the Circuit
Daniel	Bright	Court for the District of
Stephen	Dunscomb	Ohio and was argued by
Jacob	Kinzie	Counsel, on consideration
John	Kinzie	whereof It is ordered and
William	Bonham	decreed. That the decree of the
Michael	Frances	said Circuit Court in this
John	Frances &	case be and the same is
Enoch	Perrin	hereby affirmed with costs. —

Friday March 1st 1822 Cont'd

James M. Baldwin &
Alice R. Baldwin his wife
vs
Elizabeth Mapes, Nathaniel Mapes, Richard Reeder Mapes, Nancy Mapes and Henry Mapes heirs of Nathaniel Mapes deceased George Resick Samuel Finley, John McLene, Thomas James, Lefer Pierson, Thomas Worthington John Carlisle & John Kerr -

This cause came on to be heard on the Transcript of the Record of the Supreme Court for the District of Ohio and was argued by Counsel On consideration whereof It is decreed and ordered that the decree of the said Supreme Court in this case be and the same is hereby affirmed with costs. -

John Matthews
vs
Augt. Jane and the Legal Representatives of John McArthur deceased

This cause came on to be heard on the Transcript of the Record of the Supreme Court of the State of Ohio in and for the County of Muskingum and was argued by Counsel; on the part of the defendants on consideration whereof It is adjudged and ordered that the Judgment of the said Supreme Court of the State of Ohio in and for the County of Muskingum in this case be and the same is hereby affirmed with costs -

Friday March 1st 1822- Contd

Diego	Cohayler	This cause was further argued
	vs	by Mr Tazewell for the
Don	Pablo Cohacon	Defendant.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Saturday Morning March 2nd 1822.—

Pursuant to adjournment the Court met this morning at the Capitol—

Present—

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Hon'ble:	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened—

Matthias Hargrave &c	This cause came on to be
Joseph Peale, Exr	heard on the Transcript
M'Clean & James Lindsay—	of the Record of the Circuit
63. vs	Court for the District of
Richard C. Anderson	Ohio, and was argued by
	Counsel on consideration

whereof it is ordered & adjudged that the decree of the Circuit Court in this case be & the same is hereby affirmed with costs.—

Diego Chamizo	This cause was further
vs	argued by Mr Webster
Don Pablo Calvo	for the Defendant

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.—

Monday Morning March 4th 1822.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon'ble.	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Hon'ble.	Thomas	Todd	assoc. Justices
	Gabriel	Duvall &	
	Joseph	Story	

Proclamation being made the Court is opened. —

On Motion first made to the Court It is ordered that Ethan Sheppley Esquire be admitted to practice as an attorney and counsellor of this Court. —

Diego Cohalo
vs
Don Pablo Chacon

This cause was further argued by Mr Ogden for the plaintiff —

Abner Evans Exr
vs
Isaac Eaton

This cause was argued by Mr Hopkinson for the plaintiff and by Mr Sergeant for the defendant —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Tuesday Morning March 5th 1822.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	Associate
The Honble:	Thomas	Todd	Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.—

Samuel Brown, Ebenezer Oliver, Thomas S. Wentworth Benjamin Jay Gray Blake and Joseph Lemuel	This cause came on to be heard on the Transcript of the Record of the Circuit Court for the Southern District of New York, and was argued by Counsel on consideration whereof it is ordered, decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs.—
18. vs. 19.	
Amasa Jackson	

Elisha Evans Esqr.	This cause was further argued by Mr. Harper for the plaintiffs.—
vs	
Isaac Eaton	

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.—

Wednesday Morning March 6th 1822.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice.
	Bushrod.	Washington	
	William	Johnson	
The Honble.	Brockholst	Livingston	Associate Justices.
	Gabriel	Duval	
	Joseph	Story	

Proclamation being made the Court is opened.

On Motion first made to the Court. It is ordered that Geo. M. Bibb Esquire be admitted to practice as an attorney in this Counsellor of this Court —

Alexr.	Evans Exrs	vs	This cause was further argued by Mr. Harper for the plaintiffs. —
Isaac	Eaton		

Andrew	Crockett	vs	This cause was opened by Mr Sheffey on the part of the plaintiffs. —
Henry	Lee		

Proclamation being made the Court is adjourned until to-morrow morning at eleven Oclock. — —

Thursday Morning March 7th 1822.

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honorable	John	Marshall	chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honorable	Thos Todd	Livingston	Associate Justices
	Gabriel	Duval	
	Joseph	Story	

Proclamation being made the Court is opened.

John Dean Piper of Sunbury & Pleads

vs

John Smith. Wm Pearce Master. Joseph Morton Joseph Dean, John Gutches David Robinson, John Gantt, Susanna Gantt, William Nance and Polly Nance. —

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Virginia Sitting in Chancery and was argued by Counsel, on consideration whereof: It is adjudged and decreed, that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Thursday March 7th 1822. Court

Andrew Kennedy	Crockett Lee	This cause was further argued by Mr Blair for the defendant and by Mr Steffey for the plaintiff
John Richard	Green's heirs Biddle	This cause was opened by Mr Montgomery for the plaintiff.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday Morning March 8th 1822.—

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Hon'ble	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.

On Motion first made to the Court It is ordered that James Shannon and H. D. Sedgwick Esquires be admitted to practice as Attorneys and Counsellors of this Court.

John Greenough Lewis — This cause was further argued by Mr Montgomery for the Plff & by Mr B. L. for the defendants

Richard Biddle

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock.—

Saturday Morning March 9th 1822.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Brockholst	Livingston	
The Honble	Thomas	Todd	Associate Justices
	Gabriel	Duvall	
	Joseph	Story	

Proclamation being made the Court is opened.

On motion first made to the Court. It is ordered that J. Gibden Esquire be admitted to practice as an attorney and counsellor of this Court.—

John Greens heirs &c vs Richard Biddle. This cause was further argued by Mr Bibb and Mr Key for the defendant.—

Proclamation being made the Court is adjourned until Monday morning next at eleven O'clock.—

Monday Morning March 11th 1822 -

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
Brockholst Livingston

The Honorable: Thomas Todd, Associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened. -

John Speed Smith vs. Richard Biddle. This cause came further on to be heard by Mr Key for the defendant and by Mr Stevens for the plaintiff

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock -

Tuesday Morning March 12th 1822.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Mineball Chief Justice.
Buckner Worthington
William Johnson
The Hon'ble Brackenridge Livingston Assistant Justices
Gabriel Duvall
Joseph Story

Proclamations being made the Court is opened —

Andrew Crockett
vs
Henry Lee

Plaintiffs death suggested and by consent of parties and entry of Court appearance of Samuel Crockett the heir of Andrew Crockett dec'd are entered

Samuel Crockett John Crockett Robert Sayers & Nancy his wife Thomas Crockett John Mallay & Sally his wife, Joseph Crockett & Polly his wife Robert Crockett & Andrew Crockett heirs of Andrew Crockett deceased
vs
Henry Lee

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel, and consideration whereof this Court is of opinion that the decree against the plaintiffs bill was erroneous in this, that the plaintiff as shown by the proofs in the [illegible]

Tuesday March 12th 1822. Cont.d

better equitable title under his location which is the foundation of that title he owes for want of certainty a fault not properly examinable under the pleadings in the cause as they now stand, because it is not put in issue. This Court doth therefore reverse that said decree and doth remand the cause to the said Lawrence Court that the parties may be permitted to amend their pleadings and that further proceedings may be had therein according to law. —

Samuel Crockett John Crockett Robert Sayers & Nancy his wife James Crockett John Huntley executor of the wife Joseph Crockett and Polly his wife Robert Crockett and Abraham Crockett heirs of Abraham Crockett deceased

38 &c &c

Nancy Dec

This cause came on to be heard on the Transcript of the Record of the Lawrence Circuit Court of Kentucky and was argued by Counsel on consideration whereof this Court is of opinion that the decree directing the defendant to convey to the plaintiffs the land in the pleadings mentioned is erroneous in this that the defendant is shewn to be entitled to the [illegible] and better equitable title under his location which is the foundation of that title he owes for want of certainty a fault not properly examinable under the pleadings in the cause as they now stand, because it is not put in issue. This Court doth therefore reverse the said decree and doth remand the cause to the said Lawrence Court that the parties may be permitted to amend their pleadings, and that further proceedings may be had therein according to law. —

Tuesday March 12th 1822 - Cont?

Diego Colquhoun
vs
Wm. Pablo Colquhoun

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the district of Virginia and was argued by counsel on consideration whereof It is decreed and ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Richard Sclover & Arthur S. Bryan & Rachel his wife, James Walton, Isaac Walton, Timothy Walton & Nathaniel Ill. Williams & Sarah his wife heirs of William Walton dec?
132.
vs
John Lee Piper of John Leadson and William Farmer & Priscilla his wife

The counsel for the defendant having filed a certificate of the Clerk of the Circuit Court for the District of West Tennessee stating that a writ of error has been sued out and allowed in said cause from said Circuit Court It was on motion ordered that the said cause be docketed and that said writ of Error be and the same is hereby dismissed

John Greens heirs
vs
Richard Biddle

This Cause was further argued by Mr Sanders for the Plaintiffs. —

Tuesday March 12th 1822. Cont.d

John B. Bernabeu vs The Brig Amazon	This cause was opened by Mr Hoffman on the part of the plaintiffs. —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.

Wednesday Morning March 13th 1822.—

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Honorable Brockholst Livingston assocate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened.—

John Green's heirs. vs Richard Biddle

This cause was further argued by Mr Harrison for the plaintiffs.—

John B. Bernabeu vs The Brig Neptune

This cause was further argued by Mr Hoffman for the plaintiff and by Mr Stanton for the defendant.—

On Motion Grant was admitted to practice as an attorney and counsellor of this Court.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

Thursday Morning March 14th 1892.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Honorable: Brockholst Livingston Associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened

Daniel Sharp, Elias Boudinot, Robert Smith, James B. Fisher, Joseph Sims, Archibald McCall, Paul Fearon, Samuel Beale, Perry Pratt, George Fox, Prichett, Hollingsworth, John Elliot, Thomas McKillop, Thomas Perry, George Thomas, Hugh Thompson, William Rogers & Alan Scholl Esqrs. were admitted Counsellors of this Court.

No. 95. Joseph Inness & Joseph Inness and Mary Ann Inness for themselves and others heirs & devisees of Joseph Inness deceased, appellants vs. Mary Ann Harper, Executrix of the last will & testament of Robert Harper deceased, appellee.

This cause came on to be heard on the Transcript of the Record of the Supreme Court for the United States for the District of Pennsylvania and was argued by Counsel on the Consideration Whereof

This Court is of opinion that there is error in the decree of the said Supreme Court in this, that the

Thursday March 14th 1833 Court 4.

distribution ought to have been in the first instance inter locutory, requiring that the claims of the notes should be proved at some certain day to be mentioned in the decree bringing them in for payment, and that on such day a final decree for the distribution of the fund should be made — This Court doth therefore reverse this decree of the Lower Levant Court and direct that the cause be remanded to the said Court for further proceedings —

Sundry Goods Wares and Merchandize
Isaac Hunter Claimant
vs.
Joaquim Zamorano. —

This cause came on to be heard on the Transcript of the Record of the Levant Court for the District of Maryland and was argued by Counsel on consideration whereof It is Ordered and Decreed that the decree of the said Levant Court in this case be and the same is hereby affirmed with costs. —

John B. Bernabeu
vs.
The Brig Neptune

This cause was further argued by Mr Hunter for the Plaintiff —

Thursday March 14th 1822. Cont.d

The Ship Monte alges and Cargo —

vs

J. J. Vasques Consul General of Portugal —

This cause was argued by Mr Stevens for the Plaintiff and by Mr Hoffman for the Defendants

Proclamation having been made the Court is adjourned until tomorrow morning at eleven oclock

Friday Morning March 15th 1822.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Associate Brockholst Livingston Associate Justices.
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened.

Elizabeth Thacker, Peter Keough and Jane his wife heirs and Representatives of John Thacker deceased

vs.

Philemon Thomas.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel for the defendant in error.

On consideration whereof, this Court is of opinion that the said Circuit Court erred in ordering the suit to be revived and prosecuted against the heirs of the original defendant and proceeding to render judgment against them upon a Summons and Count against the original defendant. It is therefore adjudged and ordered, that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled and the Court proceeding to render such Judgment as the said Circuit Court should have rendered. It is further adjudged and ordered that the said suit be and the same is hereby abated.

Friday March 15th 1872. Court

The Ship Emily
vs Bradfoot Claimt
134. Cir Ct
The United States

The Counsel for the defendant having filed a certificate of the Clerk of the Circuit Court for the District of South Carolina stating that an appeal had been allowed in said case from said circuit Court - It was on motion ordered that the said cause be docketed and that the said appeal be and the same is hereby dismissed —

Decree of District Court affirmed with costs and cause remanded to the Circuit Court. —

The Brig Carolina
vs Bradfoot Claimt
135 Cir Ct
The United States

The Counsel for the defendant having filed a certificate of the Clerk of the Circuit Court for the District of South Carolina stating that an appeal had been allowed in said case from said Circuit Court - It was on motion ordered that the said cause be docketed and that the said appeal be and the same is hereby dismissed —

Decree of District Court affirmed with costs and cause remanded to the Circuit Court. —

Friday March 15th 1822. Contd.

The Columbian Insurance Company of Alexandria
vs
The United States at the relation of John Wheelright and others. —

Motion to quash the writ of error in this case was argued by Mr Swann for the defendants and by Mr. Jones for the Plaintiffs.

Farmers Weights Lessee
vs
John Rochester

This cause was argued by Mr Rush, for the plaintiffs.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Saturday morning March 16th 1822. —

Pursuant to adjournment the Court met this morning at the hour fixed.

Present

The Honorable	John Marshall	chief Justice
	Bushrod Washington	
	William Johnson	
The Honble	Gabriel Duvall.	associate
	Brockholst Livingston &	Justices
	Joseph Story —	

Saturday Morning March 16th 1822. – Cont'd

John D. Daniels Claimant of twenty quantities of gold and Silver coin a Million in Bags Boxes or Trunks &c &c

vs

Joaquim Jose Rodrigues Consul General of Portugal in behalf of the owners of the Ship Grand Para and others

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Maryland and was argued by Counsel On consideration whereof It is ordered and decreed that the decree of the said Circuit Court in this case be and the same is hereby affirmed with Costs –

William Coleman

vs

Defendants Cochran Ewing Hemsley & Ewing Shewalter Surviving partners of Hemsley & Shewalter

This plaintiff in Error having failed to appear or prosecute his Writ of Error in this Cause as the Defendants by their Counsels, It is ordered that the writ of error in this Cause be and the same is hereby dismissed with Costs. –

Samuel Pleights Sejeant

vs

John Rochester

This Cause was fully argued by Mr Hardin for the Defendant.

Saturday March 16th 1822. Cont.d

Jonathan Lore

vs

The Pacific Insurance Company of New York

This cause was argued by Mr. Sedgwick for the plaintiff and by Mr Griffin for the defendants —

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock —

Monday Morning March 18th 1822.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honourable John Marshall Chief Justice.
William Johnson
The Hon'ble Bushrod Washington
Gabriel Duvall.

Proclamation being made the Court is opened.

John B. Bernabeu on behalf of the King of Spain
vs.
The Baltimore Insurance Co.
John B. Skinner.

This cause came on to be heard on the Transcript of the Record and of the Decree and of the Supreme Court of the United States for the District of Maryland and on January 1822 the Libels and Interrogatories filed in the Cause and was argued by Counsel on consideration whereof this Court doth direct and order that the Appellee have liberty to procure a copy of the Libel or other proper evidence of the Sentence of condemnation in the proceedings mentioned to be produced or to account for the non production of such document and that the parties be at liberty to take any proof which may serve to show that the Ship of the Marquis de Yrujo or was not used and that Antonia Julia Francisca &c in the proceedings mentioned was not a bona fide purchaser for a valuable consideration and is the present owner of the same vessel and the cause is continued till the next Term.

Monday March 18th 1822 Contd

Jonathan Lorr vs The Pacific Insurance Company of New York	This cause was further argued by Mr Griffin for the defendants and by Mr Ingersoll for the plaintiff
Lewis Edmonds vs Nathaniel Taylor & others	This cause was argued by Mr Talbot for the plaintiff and by Mr Harden for the defendants

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Tuesday Morning March 19th 1822

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice,
William Johnson
Brockholst Livingston
Gabriel Duvall Associate Justices
Joseph Story

Proclamation having been made the Court is opened, —

James Galdelaugh
vs.
Benjamin G. Orr —

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia for the County of Washington and was argued by Counsel, on consideration whereof. It is adjudged and ordered that that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court. —

Tuesday March 19th 1822 Cont'd.

The Brig Aragonta Bonaforte &c Claimants Appellants

vs

John B Bernabeu Consul General of Spain

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel On consideration thereof It is decreed and Ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed with Costs.—

Lucas Elmendorf

vs

Richard Taylor & others

This cause was further argued by Mr Bell for the defendants & by Mr Ewing for the plaintiff.

Samuel McElroy

vs

Samuel Bright & others

This cause was argued by Mr Harris for the plaintiff—

Thomas Ewing

vs

James Scott & others

This cause was argued by Mr Swann for the plaintiff.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

Wednesday Morning March 20th 1822

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable John Marshall Chief Justice
William Johnson
The Honble: Brockholst Livingston } associate Justices
Gabriel Duvall

Motion having been made the Court is adjourned.

The Manufacturers Insurance Company
William Foster Claimt
73. — Appl
Jas Simmons Jose Jacques Jr
Consul General of Portugal

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsels on consideration whereof. It is ordered and adjudged that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs.

John Lee on the demise of
Thomas Blight & others
12 Appl
John Rochester.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsels on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in the case be and the same is hereby affirmed with costs

Wednesday March 20th 1822. Cont'd

Primary Boxes of Gold and Silver coin or Bullion Iron any bags parcels or pieces of Silver. —

vs

Joaquim Jose Vasques Consul Generals of Portugal in behalf of the owners of the Ship Ranhados Anjos and her Cargo. —

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel on consideration whereof. It is ordered and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

William Hodgson Merchants of Liverpool England

vs

The Marine Insurance Company of Alexandria

This cause having again come on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel on consideration whereof. It is now ordered and decreed that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and that this cause be remanded to the said Circuit Court with instructions to cause an account to be taken of the Average Loss sustained by the Libellant in the Voyage insured by the Policy of Insurance in the Libel mentioned and that the Libellant recover of the Libellees the amount of such Average Loss with interest thereon from the time when the Libellees refused to pay the same and that the Libellees pay the costs of this appeal. —

Wednesday March 20th 1822. Court

The United States
vs
The Marquis de Iturbide.
John D. Daniels claimant.

This cause was argued by the Attorney General for the plaintiffs. —

Holbrook & Alexander
vs
The Union Bank of Alexandria. —

This cause was argued by Mr. Swann for the plaintiffs.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Thursday Morning March 21st 1892.

Present the aforegoing the Court met this morning at the Capitol.

Present —

The Honorable John Marshall chief Justice
The Honorable William Johnson
Brockholst Livingston
Gabriel Duvall
associate Justices

Proclamation having been made the Court is opened.

Jonathan Lowe
86. No
The Pacific Insurance Company of New York

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel, On consideration whereof. It is the opinion of this Court that there is no Error in the opinion and charge of the said Circuit Court. But an inconsiderable omission in the special verdict of the Jury (made fully by the Briefs furnished by both parties) having been committed in copying the Record, and which leaves it doubtful in what form this decision is to be certified to the said Circuit Court, It is ordered that a certiorari issue to said Circuit Court that the error in the said Record may be duly corrected. —

Tuesday March 21st 1882. Cont'd

The United States
vs. No.
The Benjamin Nauman
alias Monfort alias Fox
Irresistable - - - -

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by counsel, on consideration whereof it is decreed and ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed. —

Alick Kalbrath, Amos Alexander & others
vs. No.
The Union Bank of Alexandria - -

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by counsel; on consideration whereof, it is decreed and ordered, that the decree of the said Circuit Court in this case be and the same is hereby affirmed with cost

Cadwallader Evans & George Evans Exrs of Oliver Evans dec'd
vs. No.
Isaac Eaton

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for District of Pennsylvania and was argued by counsel, on consideration whereof It is adjudged & ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with cost. —

Continued see page 311.

Thursday March 21st 1822 Cont.e

Cadwallader Evans and
Jorgn Evans Executors
of Oliver Evans dec.d
10. vs
George Hetrick

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Penn.a and was argued by Counsel, on consideration whereof: It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs —

{Continued See page 311-}

Thomas Craig
vs
James Scott Executor
of John Pitts who was
Execut.r and Trustee of
Robert Craig deceased
Walter Cooke & Sally F.
his wife James Brown
William Galt and
Alexander Parr

This cause came on to be heard on the question on which the Judges of the Circuit Court of the United States for the District of Virginia were divided and was argued by Counsel, on consideration whereof, this Court is of opinion that the Report of the Sale in the proceedings mentioned so far as respects the Sale to the said John Pitts ought to be confirmed; and that the said Pitts ought to be decreed to complete his purchase, with which is ordered to be certified to the said Circuit Court

Thursday March 21st 1822. Cont.d

The Hibernian Insurance Company of Alexander 117. vs John Whetenight & others

On motion of the defendants in Court by their Counsel. It is adjudged and ordered that the writ of error in this cause be and the same is hereby dismissed with costs. It not appearing that the matter in dispute controversy exceeds the sum or value of one thousand dollars —

(On Motion first made to the Court It is ordered that Richard Lee Dane Esquire be admitted to practice as an attorney and counsellor of this Court. —

William Mahony vs Joseph Brookes

This cause was argued by Mr Key for the plaintiff and by Mr Jones for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock —

Friday March 22nd 1822.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice.
The Honble. William Johnson
Brockholst Livingston
Gabriel Duvall
} associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court It is ordered that Charles K. Ruggles Esquire be admitted to practice as an attorney and counsellor of this Court.

William Marbury
vs
Joseph Brookes

This cause was further argued by Mr Hunt for the plaintiff.

The Court then adjourned to 3 Oclock P M

Pursuant to adjournment the Court met and it is ordered

Friday March 23rd 1822 - Cont'd

William Mahony
48. vs
Joseph Fitzhugh

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by counsel on consideration whereof, this Court is of opinion that the Circuit Court erred in this that the said Court instructed the Jury "that they may conclude from the facts and circumstances stated in the Bill of exceptions that the words in the forged writing obligatory mentioned and described by the said Fitzhugh and accepted by the said William Mahony with the malice and intent of prevailing with the Cashiers of the said Forged notes to forgo an prosecution for the said forgeries, and also inform the Jury that the words and circumstances on the part of the Plaintiff in reference to his Counsel by the Jury to be true as stated, that the said deed is fraudulent and void as against the Plaintiff- And also that the Circuit Court erred in instructing the Jury that the deed was void if they were of opinion that the great majority of the creditors of the said Fitzhugh in number and value were by means of the said deed unjustly and improperly hindered delayed and defeated in their proper suits and remedies for the recovery of their said debts upon the discovery of the said Fitzhugh, and if it further appeared that no creditor whatever of the said Fitzhugh was party or privy or in any manner

(concurring)

Friday March 23rd 1832 Court

consenting to the execution of the said deed, that from the time deed is made as to the plaintiff although the said deed was not valid simply on account of the fraudulent persons given to some creditors over others, the Court being of opinion, that the objection of the Jury that creditors were unjustly & fraudulently delayed or defeated of their debts is not sufficient to avoid the deed unless the same be also illegally done, and further that the Creditors be not parties nor assenting to a deed previous to its execution or at the time they may subtitle themselves to the benefit of it by assenting to it afterwards. —

It is therefore considered by the Court, that the said Judgment be reversed and annulled, and that the cause be remanded to the Circuit Court to be further proceeded in according to law. —

William Kincheloe vs Thos
Hy. &c
Thomas Boulden's Exors

The plaintiffs and defendants in this case being solemnly called and not appearing, It is ordered that the said suit be and the same is hereby dismissed. — —

Friday March 22nd 1822 cont.

Oliver Evans Executor	vs	Isaac Eaton	On motion of Mr Harper of Counsel for the plaintiff for a rehearing of these cases. It is ordered that said Evans be held under abatement and that said cause be continued to next Term under said abatement. —
Oliver Evans Executor	vs	Gage Hetrick	

The entries made on the following cases are entered on the last days proceedings of the Court. Their respective dates not being known —

John Green	vs	James Mathews & Mathews
		Suit removed on the motion of the Heirs by consent.

William Humphreys	vs	Peter Frances & others
		Plaintiff's death suggested.

George Buchanan use Hyer	vs	Richardson Pennock
		Defendants death suggested and abatement of Writ entered.

Friday March 22nd 1822 Cont.d

George Meathen Pipes vs Ann M. Turner	The plaintiff and defendant in this case being solemnly called and not appearing. It is Ordered that the said suit be and the same is hereby dismissed. —
James Fenwick Lemmon vs Thomas L. Young Executors	Alias Certiorari awarded for plaintiff. —
Henry J. Jefferson vs Lewis Starke	By consent appeal reinstated by order of Counsels Dec.r 8th 1821. —
Lothrop Lothrop & Thomas G. Graham's Pipes vs William McIntosh	Writ of Error filed by consent —
William McCormick Executors vs Samuel Finley Executors	Suggestion of Annuation and Certiorari awarded for plaintiffs. —

Friday March 22nd 1822 cont'd

The Columbian Insurance Company of Alexandria
vs
The United States for the relation of John Wheelwright & others. —

Rule to shew cause why writ of Error should not be quashed. 16th February — 22nd

Clement & Hunt
vs
Fenno Ransmanis & Commissioners

Continued for assessment —

Proclamation being made the Court is adjourned to the time and place appointed by law. —

August Term 1822.—

At a Supreme Court of the Supreme Court of the United States began and held at the Capitol of the United States in the City of Washington being the present seat of the National Government of the United States, on the first Monday of August being the [illegible] day of the said Month, in the year of our Lord one thousand eight hundred and twenty two and of the Independence of the United States the Forty seventh Agreeably to the Statute in such case made and provided, The Honorable [illegible] one of the Associate Justices of the said Supreme Court and Circuit of the Fourth Circuit in the State of Maryland was present and the Court of the said Supreme Court allowing. It is ordered by the said Judge that the following entries be made in the following Cases, viz't—

James Yates vs. Thomas		Continued from last Term
1.	Ord. No.	
Walter Simms Esqr.		Continued.
Lobo vs.	Green	Continued from last Term
2.	Ord. No.	
James Yates vs.	Kennedy	Continued.

August Term 1822 –

John Geers's heirs		Continued from last Term
3.	vs.	
Richard Biddle		Continued. —

The Privateer Schooner		
Ely – U. S. Schooner Nathan		Continued from last Term
4	vs.	
The Schooner Experiment		Continued
Wharp – United States Claim		

Silas Bullard		Continued from last Term
5.	vs.	
Samuel Bell		Continued. —

William Campbell.		Continued from last Term.
6	vs.	
Pratt. Francis Vethers		Continued. —

The Brig Mary. Ann		
Dremak – Steam Claim		Continued from last Term
7	vs.	
The United States		Continued

Oliver Evans' Exors		Continued from last Term
8	vs.	
Isaac Eaton		Continued. —

August Term 1822.

Oliver Evans Exrs vs George Ridlish	Continued from last Term Continued.
George Buchanan Piper — vs Lewis Stewart Admr of Richardson Stewart	Continued from last Term Continued. —
The United States vs The Brig Lewis & Mary Paul Schacon Spanish Consuls Claimants —	Continued from last Term. Continued. —
George Buchanan Claimants vs Claimants of Salvage	Continued from last Term
The Brig Lewis & Mary Paul Schacon Spanish Consuls Claimants —	Continued. —
Lewis & Geo Fennell copelning & engaged vs The Brig Lewis & Mary Paul Schacon Spanish Consuls Claimants	Continued from last Term Continued. —

August Term 1822.

Batton	Jackson	Continued from last Term
11	vs	
Same	Pittsburgh Rolling	Continued. –
William	Pigeon & others	Continued from last Term
15.	vs	
John	Ferguson Executor	Continued –
Same	Cockerman Rolling	Continued from last Term
16	vs	
Same	Mormley Rolling	Continued
The	United States	Continued from last Term
17	vs	
William H.	Richardson	Continued
Same	Same	Continued from last Term –
18.	vs	
Same	Same	Continued
Yerby	& Meadmore	Continued from last Term –
19	vs	
Thomas & Isaac	Upshaw	Continued
George	Mc. Ogden	Continued from last Term –
20.	vs	
Same	Sanders	Continued. –

August Term 1822.

Isaac	Coxe's Heirs	Continued from last Term
21.	vs	
John	Dean	Continued. —
The	United States	Continued from last Term
22.	vs	
Joseph	Wilson	Continued. —
Isb...	Thomson	Continued from last Term
23.	vs	
Duncan	McArthur	Continued. —
Ebenezer	Yeomans	
Daniel	Crawley	Continued from last Term
24	vs	
The	United States	Continued
James	Williams	Continued from last Term.
25.	vs	
The	United States	Continued.
John	Lowe and	
Richard	Crane	Continued from last Term
26	vs	
Richard	A. Hunter	Continued. —
Administrator		

August Term 1822.

27. The [illegible] vs [illegible]	Continued from last Term
28. Robert J. Taylor vs John F. Cheeseman	Continued from last Term
29. Alexander McDermott vs The United States	Continued from last Term.
30. The United States vs The Sloop Pilot, Simms vs Claimants	Continued from last Term
31. The United States vs The Cargo of the Sloop Pilot, Simms vs Claimants	Continued from last Term
32. Philip [illegible] vs John G. Wright Assignee & Attorney Thomas Thompson U.S.	Continued from last Term

August Term 1822.

George Hamilton Fitzhugh	Continued from last Term
32	do
Ann M. Turner	Continued
James Taylor Senior	Continued from last Term
34	do
Thomas B. Deming Father	Continued.
422 Yards of Linen	
Virginia B. Williams [illegible]	Continued from last Term
35	do
The United States	Continued.
Philip N. Nicholas	
Attorney General of	Continued from last Term
Virginia	
36	do
Richard L. Anderson	Continued.
Henry Knaphus [illegible]	
of Neale Falcon	Continued from last Term
37	do
The Union Insurance	Continued
Company of Maryland	

August Term 1822

The Corporation of the City of Washington vs.	Continued from last Term.
The Penny Count of Washington County	Continued.
The Corporation of the City of Washington vs.	Continued from last Term
The Penny Count of Washington County	Continued
The Society for the propagation of the Gospels in foreign parts vs.	Continued from last Term
Thos. Tenin of New Haven and Williams Wheeler	Continued
Fitch Spring and Sons and others vs.	Continued from last Term.
The South Carolina Insurance Company	Continued.

August Term 1822.

John B Bennett on behalf of the King of Spain.		Continued from last Term
42.	Do	Do
The King Plaintiff & John L Smith		Continued

Joshua Johnson assee Thomas I. Graham's Lessee		Continued from last Term
43.	Do	Do
Williams	Mc Intosh	Continued

William Mc Cormick & others		Continued from last Term
44.	Do	Do
Samuels	Finley & others	Continued

Williams	Fleckner	Continued from last Term
45.	Do	Do
The Bank of the United States		Continued

Williams	Fleckner	Continued from last Term
46.	Do	Do
The Bank of the United States		Continued

John	Stephens	Continued from last Term
47.	Do	Do
Radford	Mc Craig & others	Continued

August Term 1822

Francis Sexton	Continued from last Term.
18. vs	
Joseph Wheaton & wife	Continued. —
Joseph Wheaton	Continued from last Term
19. vs	
Francis Stephens Esqr	Continued.
Jonathan Coffin	
20. vs	Continued from last Term.
Elias Thomas use of	
Nicholas Thomas	Continued. —
Charles Glover	
21 vs	Continued from last Term —
The Central Bank use	
of the Farmers & Mechanics	Continued.
Bank of George Town	
Jonathan Law	
22. vs	Continued from last Term —
The Pacific Insurance	
Company of New York	Continued. —
Stephen Manning	Continued from last Term.
23. vs	
James Jackson	Continued.

August Term 1822 –

Daniel M'Henry 54. vs Samuel Bleight & others Libels	Continued from last Term Continued –
The Ship Francis & Eliza William Lewis Claimant 55. vs The United States –	Continued from last Term Continued –
The Schooner Primeaway Francis F Amaron Claim. 56. vs The United States	Continued from last Term Continued
William Heerhart 57. vs Sarah Crawford Admx of William Crawford dec.d	Continued from last Term Continued
John Keough 58. vs Benjamin F Keogh Claim.t	Continued from last Term Continued
The Companion of the Lady of Edenburgh 59. vs Prall Francis and others	Continued from last Term Continued

August Term 1822 —

Nicholas Young Jenning surviving partner of Nathl Young dec'd	Continued from last Term.
60. vs no	Continued
James Greenleaf & others	

Richard Smith Lefevre of Anthony Dalzy	Continued from last Term
61. vs no	Continued —
Davis James	

Archibald Grant & others	Continued from last Term.
62. vs no	
John Palmer & others	Continued

John Nichols	Continued from last Term.
63. vs no	
William S. Webb —	Continued

Jacob Ashbridge & others	Continued from last Term.
64. vs no	
John G. Lemaigre Exr	Continued.

The Cargo of the Brig Fanny Hutton Master claimant	Continued from last Term.
65. vs no	
Joaquim José Vieyra Consul General of Portugal	Continued —

August Term 1822 –

Joaquim Jose Vasques Consul Genl of Portugal vs The United States	Continued from last Term
Nathan Tracy Claimant of the Cargo of the Brig Fanny vs The United States	Continued.
Ralph Osborn & others vs The Bank of the United States	Continued from last Term. Continued
George Smith vs John M'Lure	Continued from last Term Continued
Peter R. Beverly vs Henry St George Tucker	Continued from last Term Continued
Achilles and Lavinia Sneed vs John Meister and others	Continued from last Term Continued
Caleb Kirk & others vs Richard Smith Piper & John Penn	Continued.

August Term 1822 -

The United States	Continued from last Term.
72. no	
John Kirkpatrick &	Continued. -
Robert Rumsey	
Effingham Cheilles	
73. no	Continued from last Term
Thomas Stewart &	
Stephen D. Mattick	Continued.
John Gomes Pathens	
74. no	Continued from last Term
Joaquim Jose Vasques	
Consul General of Portugal	Continued -
John [illegible] Caswell	Continued from last Term.
75. no	
Lawson D. Pinto Pathes	Continued.
Isabella [illegible] Cerveys Spin	Continued from last Term
76. no	
Henry O Lannuller	Continued. -
The United States	
77. no	Continued from last Term
The Margaret Athenius	
called The Swiss Fernando	Continued

August Term 1822 -

The United States vs	Continued from last Term
78. The Schooner St Jago de Cuba and Cargo.-	Continued. —
Thomas Gibbons vs	Continued from last Term
79. Aaron Ogden	Continued —
Frederick Bates vs	Continued from last Term
80. James W Peters & Russell Stebbins	Continued
Coleman & Hunt vs	Continued from last Term
81.- Jesse Rensmeiers & Administrators	Continued.
Walton Rankin & Gallop vs	Continued from last Term
82. Thomas Tarrances	Continued
John M Iver vs Nathaniel Mathies	Continued from last Term
83.	Continued —

August Term 1822 –

Joseph Hess		Continued from last Term
84.	No.	
Archibald Mannsheimer		Continued

Ambrose Malden		
85.	No.	Continued from last Term
Lewis Lewis & Jonathan		
Rose		Continued. —

Thomas Barnard & Lyon		Continued from last Term
86	No.	Copy appeals &c. See entries in this case. —
Henry Banks		Continued

Joseph Mansville		Continued from last Term
87.	No.	
Joshua Schofield		Continued

Andrew Baulk		Continued from last Term
88.	No.	
George Coleman		Continued.

James Hughes heirs		Continued from last Term
89.	No.	
John Edwards Ulupe		Continued.

August Term 1822.

The United States claimt of Sundry Negroes &c 90. vs Charles Mosby vicec Comdt &c	Continued from last Term Continued
Thomas H. Smith Marsht of Surrey obeis of Exn 91. vs The United States	Continued from last Term Continued
The United States 92. vs Claimants of African Negroes part of the Cargo of the Antelope or Ramirez	Continued from last Term Continued
Ulleyman & Clarke 93. vs Southard & Starr	Continued from last Term Continued
Mabbet Plaintiff 94. vs Archibald Mann & others	Continued from last Term Continued

August Term 1822.

	The Chief Justice		Continued from last Term
	The Associate Justices		
95.		no	Continued
	The United States		

	The Brig Caroline		
	The Brigboat Aurora		Continued from last Term.
96		no	
	The United States		Continued. —

	Samuel Meredith's heirs		Continued
+ 98		no	
	George Pickett & others		Continued

	Isaac & Pearson Lunt		
	and James Carter		Continued
+ 99.		no	
	Richard M. Harrison &		Continued
	Gabriel Lee Jones		

	Robert M. Newman		Continued
+ 97		no	
	Joseph Jackson & Sifers		Continued

	George Magruder		Continued
100.		no	
	The Bank of Washington		Continued

August Term 1822

Daniel Rennes 101. vs The Bank of Columbia	Continued.
Charles Riggs 102. vs John Taylor	Continued.
John Taylor 103. vs Robert R. Richardson's Executors	Continued.
Charles Glover 104. vs Robert Marshall	Continued

Proclamation ever since the Court is supposed to the time and place appointed by Law.

321a

February Term 1823.

(At the Capitol of the United States in the City of Washington and District of Columbia. the seat of the National Government of the United States on the first Monday of February. being the three and twenty day of the same Month) in the year of our Lord. One thousand eight hundred and twenty three and of the Independence of the United States the Forty Seventh. The Supreme Court of the United States Met agreeably to Law.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
The Honble: Brockholst Livingston } Associate Justices
Gabriel Duvall &
Joseph Story.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Tuesday Morning February 1st 1823 —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
The Bushrod Washington
Brockholst Livingston
Gabriel Duvall
Joseph Story
} Associate Justices

No 1 to 5 inclusive being made the Court is opened. —

William Sigfais admr vs John Hargrave Treasurer	This cause was argued by Mr Sergeant for the Plaintiffs. —
Frances Taylor vs Joseph Wheaton & Wife	This cause was opened by Mr King for the Plaintiffs. —
George Buchanan's Lessee — 10 vs Sarah Stewart devisee of Richardson Stewart	By consent of Counsel by their attorneys This cause is dismissed and ordered that the Judgment of the Circuit Court for the United States for the District of Maryland in this cause be and the same is hereby affirmed with costs. —

Tuesday February 4th 1893.

The Mayor Aldermen and Common Council of the City of Washington
38
vs
The Levy Court of Washington County

The plaintiffs in this case being called and not appearing. It is ordered that the writ of Error in this case be and the same is hereby dismissed. —

The Mayor Aldermen and Common Council of the City of Washington
37
vs
The Levy Court of Washington County

The plaintiffs in this case being called and not appearing. It is ordered that the writ of Error in this case be and the same is hereby dismissed. —

Edmund I Fox
130
vs
The President & Directors of the Bank of the United States

By order of the pltff. It is ordered that the writ of Error in this case be and the same is hereby dismissed with costs.

Tuesday February 4th 1823. Cont'd

His Catholic Majesty
The King of Spain
144.— vs
Robert Oliver and John
Oliver Exrs of Robert
and John Oliver

This Cause coming on for the defendants on this case having filed a certificate of the Clerk of the Circuit Court of the United States for the District of Pennsylvania stating that a writ of Error had been allowed in this case which operated as a Supersedeas. It was on motion ordered that said Cause be dismissed and that the said writ of Error be and the same is hereby dismissed. —

(See page 371)

John B. Bernadeau in
behalf of the King of Spain
42. — vs
The Brig Mercy &c &c
John B. Daniels

Further proof filed by plff.
Do " " " deft

(See page 411)

On motion first made to the Court It is ordered that Richd. Coxe and Louis Wagner Esquires be admitted to practice as Attorneys and Counsellors of this Court. —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock. —

Wednesday Morning February 5th 1823.

Pursuant to adjournment the Court met this Morning at the Capitol.

(Present)

The Honorable John Marshall Chief Justice.

The Hon'ble Bushrod Washington
William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} assocate Justices.

(Proclamation being made the Court is opened.)

On Motion first made to the Court. It is ordered that Langdon Cheves Esquire be admitted to practice as an attorney and counsellor of this Court.

Philip Barton & Robert Scott
Executors of William Marshall
vs
John Rogers Turner

This cause coming on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Seventh Circuit in the District of East Tennessee and was argued by counsel on the part of the Plaintiff in Error on consideration whereof this Court is of opinion that there is error in the Record and proceedings of the said Circuit Court in this that the said Circuit Court should instructed the Jury on the trial of the issue as the Defendant (Lessee of

Wednesday February 5th 1823 - cont.d

fully administered. that as it appeared by the accounts exhibited by the defendants that a part remained in their hands unadministered. the plea was therefore false and that on the issue the plaintiff was entitled to his verdict on the whole issue, and also on this, that the Jury have found a verdict on the plea of fully administered against the defendants without finding the sum unadministered and also on this, that the Judgment on the said verdict is absolute against the administratas themselves instead of being to be levied of the goods & chattles of their intestate in their hands to be administered. Wherefore it is considered by the Court that the said Judgment be reversed and the verdict be set aside and the said cause remanded to the said Circuit Court that further proceedings may be had therein according to Law. —

Francis Sexton
vs.
Joseph Wheelan & wife

This cause was further argued by Mr Jones for the defendants & by Mr Key for the plaintiffs -

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Thursday Morning February 6th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble Brockholst Livingston Associate Justices
Gabriel Duvall &
Joseph Story

Proclamation being made the Court is opened.

On motion first made to the Court It is ordered that Elisha Whittlesey Esquire be admitted & practice as an attorney and counsellor of this Court.

Jonathan Law
vs.
The Pacific Insurance Company of New York

Certiorari Returned.

This cause came on to be heard on the Transcript of the Record of the Supreme Court of the United States for the Southern District of New York, and was argued by counsel, on consideration whereof It is adjudged and ordered that the Judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Thursday February 6th 1823. Cont.

Henry Hughes use of
Noah Yalcott
vs
The Union Insurance
Company of Pennsylvania

This cause was argued
by Mr Rawson for the
plaintiff and by Mr
Ogden for the defendant.

Proclamation being made the Court is adjourned
until tomorrow morning at eleven Oclock.

Friday Morning February 7th 1823 –

pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Brockholst Livingston associate Justices.
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened.

Cadwallader Evans &
George Evans Exrs
of Oliver Evans dec'd
vs
Isaac Eaton.

and.

Cadwallader Evans &
George Evans Exrs of
Oliver Evans dec'd
vs
George Forbith

It is ordered, that the motions made at the last Term by the plaintiffs in these cases, for a new argument and which was then held under advisement be this Term, & the same is now by Court overruled. –

Friday February 7th 1823. Cont.d

Henry Houghton of Nantucket
vs
The Union Insurance Company of Maryland.

This cause was further argued by Mr Ogden for the defendants and by Mr Thompson for the plaintiff.

John B. Bernabeu in behalf of the King of Spain
vs
The Brig Neuda and John D. Daniels.

This cause was argued by Mr Hoffman for the plaintiff and by Mr Lee for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Saturday Morning February 8th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon. Brockholst Livingston } Assistant Justices
Gabriel Duvall &
Joseph Story

Proclamation being made the Court is opened.

John B Beirnaker on behalf of the King of Spain
vs
The Brig Neptune &
John D. Daniels

This cause was further argued by Mr Hemmen for the Defendants.

John Stephens
vs
Rodgers Mr Pargoe Claims

This cause was argued by Mr Clay for the Pltff. and by Mr Tucker for the Defendants

Proclamation being made the Court is adjourned until Monday Morning next at eleven O'clock.

Monday Morning February 10th 1823 —

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall chief Justice
The Hon. William Johnson
Brockholst Livingston
Gabriel Duvall
Joseph Story
} associate Justices.

Proclamation being made the Court is opened.

On motion first made to the Court it is ordered that Alfred Hunkling Esquire be admitted to practice as an attorney and counsellor of this Court. —

John Stephens
vs
Rufford McKenzie
& others — —

This cause was further argued by Mr. W. D. Hardin for the defendant, and by Mr Lelay for the plaintiff.

The Brig Mary Ann
Jeremiah Plumer claimant
vs
The United States

This cause was opened by Mr Ogden for the plaintiff. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Tuesday Morning February 11th 1823.

Pursuant to adjournment the Court met this morning at the Capitol

Present —>

The Honorable John Marshall Chief Justice
William Johnson
The Honble. Brockholst Livingston Associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened.

The Brig Mary Ann
Samuel Plumer Claimt
vs
The United States

This cause was further argued by the attorney Genl for the defendants and by Mr Ogden for the plaintiff —

The Privateer Schooner
Fly — —
vs
The Schooner Experiment
& Cargo United States Claimt

This cause was argued by Mr Meredith for the plaintiff and by Mr Pitkin for the defendant —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock —

Wednesday Morning February 12th 1823.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	John Marshall	Chief Justice
	William Johnson	
The Honble:	Brockholst Livingston	associate Justices
	Gabriel Duvall &	
	Joseph Story	

Proclamation being made the Court is opened.

Samuel Buel	This cause was argued by
vs	Mr Sergeant for the plaintiff
Cornelius P Van Ness	& by Mr Hunt for the defendant.

The United States	This cause was argued by the
vs	attorney general for the United
The Brig Lemon & Cargo	States and by Mr Hoffman
Paul Rebacan. Spanish	for the Spanish Consul & by Mr
Consul Claimant	Wirt for the Captors. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Thursday Morning February 13th 1823

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

The Honorable William Johnson
Brockholst Livingston
Gabriel Duvall &
Joseph Story
Associate Justices

Proclamation being made the Court is opened.

The United States
vs
The Ship Louisa Wings
Paulo Lobianos Spanish
Claimants

This cause coming on to be heard and the Transcript of the Record and further proof filed in this cause, and was argued by Counsel, On consideration whereof

It is ordered and decreed that the decree of the District Court of the United States for the District of Georgia reversing the Ship Louisa and Cargo to Paulo Lobianos Libellant and Spanish Claimants in this cause be and the same is hereby affirmed ---

Thursday Morning February 13th 1823.—Contd

George Biscoe, Charles Whilton George Lee Biscoe & Thomas Yeates Junr
12. vs
The Brig Serena & Cargo P. Chacon Spanish Consul & Claimants.—

This cause came on to be heard on the Transcript of the Record and further proof filed in the cause and was argued by Counsel on consideration whereof It is decreed and ordered that the decree of the Circuit Court for the District of Maryland sitting in Admiralty dismissing the libel and restoring the Brig Serena & Cargo to Paul Chacon, Spanish Claimant in this cause be and the same is hereby affirmed with costs.

Daniel to be Arrested
Capturing Claimants
13.— vs
The Brig Serena & Cargo.

This cause came on to be heard on the Transcript of the Record and further proof filed in the cause and was argued by Counsel on consideration whereof It is decreed and ordered that the decree of the Circuit Court of the United States for the District of Maryland sitting in Admiralty restoring the Brig Serena & Cargo to Paul Chacon Libellant & Claimant in this cause be and the same is hereby affirmed with costs.—

Thursday February 13th 1823 cont'd

Francis Sexton
vs
Joseph Wharton & Sarah his wife

This cause came on to be heard on the transcript of the Record of the Circuit Court of the United States for the District of Pennsylvania in the County of Washington and was argued by counsel on consideration whereof It is decreed and Ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

On motion first made to the Court It is ordered that Abm Ogden Fuller Esq. R. Mitchell and Thos P. Oakley Esquires, be admitted to practice as attorneys and counsellors of this Court. —

James Williams
vs
The United States

This cause was argued by Mr Meredith for the plaintiff & by the attorney general for the defendants. —

Philip N. Nicholas attorney General of Kentucky. —
vs
Richard Anderson

This cause was argued by Mr Hewit for the plaintiff and by Mr Talbot for the defendants. —

Thursday February 13th 1873 Court

In the Spring Term 1872 vs The South Carolina Insurance Company.	The cause was argued by Mr Wheaton for the plaintiffs and by Mr Holmes for the defendants. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Friday Morning February 14th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice.

The Honorable: William Johnson, Brockholst Livingston, Gabriel Duvall, Joseph Story, Associate Justices.

Proclamation being made the Court is opened.

The United States
22. vs
Joseph Neilson

This cause came on to be heard on the Transcript of the Records of the United States Court for the second Circuit and District of New York on the question on which the Judges of that Court were opposed in opinion and which was certified to this Court upon a division of opinion and on consideration whereof this Court is of opinion that the said Joseph Neilson who was an Operative in a Factory employed by the United States is not entitled to a discharge of his person under the act of the State of New York entitled "An act for abolishing imprisonment for debt" passed April 1819; all which is directed to be certified to the Circuit Court for the Second Circuit and District of New York.

Friday February 14th 1823 - Cont'd

Gilman Perley and Daniel Rose Appellants
vs
The United States

This cause came on to be heard on the Transcript of the Record of the Court of the United States for the first Circuit in and the District of Maine and the points on which the Judges of that Court were divided in opinion, and was argued by Counsel, on consideration whereof this Court is of opinion,

1. That an American private armed vessel duly commissioned making a capture of enemy property during the War with Great Britain and sending such a prize of such captive into a port of the United States, contrary to the provisions of the act of March 1st 1809 ch 195 sec 5 and continued in force by act of March 2d 1811 ch 306 thereby loses the compensation of the bond given pursuant to the third section of the Statute of June 26th 1812 ch 130 requiring "that the owners offecers and crew who shall be employed on board such commissioned vessel shall and will observe the treaties and laws of the United States."

2. That if such breach appear upon summons, the defendants cannot by law claim a hearing in Equity under the Judiciary act of September 24th 1789 ch 20 sec 16 —

All which is directed to be certified to the Circuit Court of the United States for the first circuit and District of Maine. —

Friday February 14th 1823- Cont.d

Petn. of Jno. Jones & others to the South Carolina Insurance Company	Was ordered to lie for the argument & by the Clerk for the Plaintiffs. —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven o'clock —

Saturday Morning February 15th 1823—

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable	John Marshall	chief Justice.
The Honble.	William Johnson Brockholst Livingston Gabriel Duvall Joseph Story	associate Justices

Proclamation being made the Court is opened—

The Private armed Schooner Fly— & U S Schooner Lion Libellants

vs

The Schooner Experiment Thomas Wentworth claimant

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts and the further proof in the cause and was argued by counsel on consideration whereof It is decreed and Ordered that the decree of the Circuit Court of the United States for the District of Massachusetts in this case be and the same is hereby affirmed with cost—

Saturday February 15th 1823 –

Joshua Johnson and Thomas H. Graham's Exrs. vs William Mc Intosh	This cause was argued by Mr. Webster for the Plaintiffs and by Mr. Murray for the Defendant. –

Proclamation being made the Court is adjourned until Monday Morning next at 10 o'clock. –

Monday Morning February 17th 1823

Adjournment & adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

The Honorable: William Johnson, Brockholst Livingston, Gabriel Duvall, Joseph Story associate Justices.

Declarations being made the Court as afores

Henry Hughes use of Mark Talcott &c. vs. The Union Insurance Company of Maryland

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel; On consideration whereof. This Court is of opinion that the said Circuit Court erred, in the first and second instructions given to the Jury, as prayed for by the defendants Counsel and in the voluntary opinions of said Circuit Court, so far as the said opinions were intended to instruct the Jury, that they could not find any less sum than Nine Thousand dollars salvage on the freight —

It is therefore adjudged and ordered, that the Judgment of the said Circuit Court of the United States for

(the)

Monday February 17th 1823 Cont.a

the District of Wayne and the same is hereby reversed and annulled and it is further ordered that said cause be remanded to said Circuit Court with instructions to issue a venire facias de novo.

On motion first made to the Court, It is ordered that Ira Goodnow Esqr. be admitted to practice as an attorney and Counsellor of this Court —

Johnson & Graham
Plff
vs
William McIntosh

This cause was further argued by Mr Johnson for the defendant

---

John Nichols
vs
William O Neill

This cause was argued by Mr Ingersoll for the Plaintiff

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Tuesday Morning February 18th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

The Hon'ble. William Johnson, Bushrod Washington, Gabriel Duvall, Joseph Story — Associate Justices.

Proclamation being made the Court is opened —

Samuel Buel
vs
Cornelius P Bunkley

This cause came on to be heard on the Transcript of the Record of the Supreme Court of the State of Vermont and was argued by Counsel, on consideration whereof it is considered that the Judgment of the said Supreme Court of the State of Vermont in this case be, and the same is hereby reversed and annulled: and it is considered that the said cause be remanded to the said Supreme Court of the State of Vermont. To the intent that a Judgment for the said Plaintiff Samuel Buel on the special verdict in this case may be entered by the said Court. —

Tuesday February 18th 1823 - Court

John Nichols
vs
William T Mott

This cause was further argued by Mr Sergeant for the defendant and by Mr Eaton for the plaintiff -

Johnson & Graham's Lessee
vs
William McIntosh

This cause was further argued by Mr Harper for the plaintiffs -

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock -

Wednesday Morning February 19th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable John Marshall Chief Justice.
The Hon'ble William Johnson
Brockholst Livingston
Gabriel Duvall &
Joseph Story
associate Justices.

Proclamation being made the Court is opened.—

Johnson & Graham's Lessee
vs.
William McIntosh

This cause was further argued by Mr Hopkinson for the Plaintiffs.—

The King of Spain
vs.
Robert and John Oliver

Motion to strike out the assignment of this cause and reinstate it on the Docket and was argued by Mr Hopkinson for the plaintiff and by Mr Sergeant and Mr Harper for the defendants.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Thursday Morning February 20th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice

The Honorable | William Johnson, Brockholst Livingston, Gabriel Duvall & Joseph Story | Associate Justices.

Proclamation being made the Court is opened.

His Catholic Majesty The King of Spain vs. Robert and John Oliver

Ordered that a Supersedeas be issued to the writ of error and Record of this cause returnable the present Term the Assignments of Error entered and the proceedings of this Term be stricken out and the cause struck from the Docket. —

William Fletcher vs. The Bank of the United States

This cause coming on to be heard by C. W. Goodrich for the Plaintiff in Error and by W. Sergeant contra Mr. Goodrich on the argument

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock —

372.

Friday Morning February 21st 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice—
William Johnson
The Honble. Gabriel Duvall } Associate Justices.
Joseph Story

Proclamation being made the Court is opened.

The Ship Mary Ann &c.
vs.
The South Carolina Insurance Company &c.

This cause coming on to be heard and being argued by counsel of the respective parties. It is ordered adjudged and decreed that the decree of the Circuit Court of the United States for the District of South Carolina in this cause be and the same is hereby reversed and annulled: and this Court proceeding to pass such decree as the said Circuit Court for the District of South Carolina should have passed doth further order and decree that the complainants pay to the defendants Isaac Story of the firm of Isaac Story and Sons the whole amount of the Judgment recovered against them on the policy on the Ship Abigail, Ann Mentinnon on the pleadings in this cause with interest at the rate of five per centum per annum from the time of Recovering such Judgment after deducting therefrom their costs of suit to be taxed. And it is further ordered adjudged and decreed that the defendants in the Circuit Court respectively pay their own costs to

Friday February 21st 1823 Cont.

James Williams vs The United States	It is ordered that the writ of error in this case be and the same is hereby quashed. the same having been directed to the District Court for the District of Maryland.

Daniel Castleman Jotten vs Mary Mornly Jotten	This cause came on to be heard by Mr. Jones for the plaintiffs & by Mr. Hunt for the defendant.—

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.—

Saturday Morning February 22d 1823.

Pursuant to adjournment the Court met this morning at the Capitol

Present:—

The Honorable John Marshall chief Justice.
William Johnson
The Brockholst Livingston
Gabriel Duvall
Joseph Story } associate Justices.

Motions having been made the Court is adjourned —

John Nichols
63 ats
William T Webb

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana, and was argued by counsel on consideration whereof It is adjudged and ordered that the Judgment of the said District Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said District Court. —

On motion first made to the Court It is ordered that Mr Dallas Esquire be admitted to practice as an attorney and counsellor of this Court. —

On motion first made to the Court, It is ordered that W B Lawrence Esqr be admitted to practice as an attorney & counsellor at this court —

Saturday February 22nd 1823 Court

James Castleman
and others —
vs
Mary Mountjoy
and others —

This cause was further argued by Mr Hunt for the defendants & by Mr Jones for the plaintiffs.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock —

Monday Morning February 24th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall, Chief Justice.
The Bushrod Washington
" William Johnson
" Gabriel Duvall
" Joseph Story
Associate Justices.

Proclamation being made the Court is opened.—

Philip Nicholas, Attorney General of the State of Virginia
vs.
Richard C. Anderson

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel. On consideration whereof it is decreed and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

The Ship Frances & Eliza.
William Coates Claimant
vs.
The United States

This cause was argued by Mr. Ogden & Mr Wirt for the appellants and by the Attorney General for the defendants.—

Monday February 24th 1823 cont'd

The Schuyler Insurance Co. of Albany, claimants
vs
The United States

This cause was argued by Mr. Ogden for the appellant and by the attorney General for the defendants —

Stephen Waring
vs
James Jackson

The plaintiff in error in this cause being duly called and not appearing it was ordered that the writ of error in this case be and the same is hereby dismissed —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock —

Tuesday Morning February 25th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
The Honorable William Johnson } Associate Justices
Gabriel Duvall
Joseph Story

Proclamation being made the Court is opened —

John Davis and
Richard Davis —
vs.
John Hunter admr
de bonis non of
Richard Hunter dec'd

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by counsel on consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with Costs. —

Arthur Daly, Esqr
vs
David James

This cause was argued by Mr Hunter for the plaintiff and by Mr Sergeant for the defendant. —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven o'clock. —

Wednesday Morning February 26th 1823

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
The Honble: Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
associate Justices

Proclamation being made the Court is opened.—

On Motion leave being first made to the Court it is ordered that W. Fontaine and Charles F. Mayer Esquires be admitted to practice as an attorney and counsellor of the Court.

Clotham Bailey Dispo
vs
Francis James

This cause was further argued by the Counsel for the defendant & by Mr Key for the plaintiff

The United States
vs
Thos Sloop Pell
& Thomas Gibbons Claimant

This cause was opened by Mr James for the plaintiff.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday Morning February 27th 1823.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall, chief Justice.

The Hon'ble: Bushrod Washington, William Johnson, Gabriel Duvall & Joseph Story, associate Justices.

Proclamation being (made) the Court is opened.

Betsey Green, William Green, John Smith & Eleanor his wife, Jeff Green, John Green, James Barbour and Lilleton his wife, Betsey Green, Ann M. Green, Mark Green, Willis Green, Daniel M. Green, Edmund J. Green, heirs of John Green deceased.

vs.

Richard Biddle

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky, on certain questions upon which the opinions of the Judges of the said Circuit Court were opposed and which were certified to this Court for their decision by the Judges of the said Circuit Court and was argued by counsel on consideration whereof It is the opinion of this Court that the act of the said State of Kentucky of the 27th of February 1797 concerning occupying claimants of lands, whilst it was in force was repugnant to

(the)

Thursday February 27th 1823 - Contd

The constitution of the United States that that the same was repealed by the act of the 31st January 1812 to amend the said act, and that the act last mentioned is also repugnant to the constitution of the United States —

The opinion given on the first question submitted to this Court by the said Circuit Court renders it unnecessary to notice the second question —

All which is ordered to be certified to the said Circuit Court —

On Motion Frost made to the Court It is ordered, that H Patterson and John Read Esquires be admitted to practice as attorneys and counsellors of this Court —

The United States vs The Sloop Pill	This cause was further argued by Mr Wirt and Mr Jones for the Libellants and by Mr Key Mr Jones for the Defts.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock —

Friday Morning February 28th 1823.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
The Honble Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story — Associate Justices

Proclamation being made the Court is opened.

William Fleckner
vs.
The President Directors and Company of the Bank of the United States.

This cause came on to be heard on the Transcript of the Record of District Court of the United States for the District of Louisiana and was argued by counsel

On consideration whereof, It is adjudged and ordered that the Judgment of the said District Court for District of Louisiana in this cause be and the same is hereby affirmed with costs and damages at the rate of eight per centum per annum including interest on the amount of the Judgment of the said District Court.

Friday February 28th 1823. Cont'd

William Fleckner
vs.
The President Directors and Company of the Bank of the United States

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel On consideration whereof.

It is adjudged and ordered that the Judgment of the said District Court for the District of Louisiana in this case be and the same is hereby affirmed with costs and damages at the rate of eight per centum per annum including interest on the amount of the Judgment of the said District Court.—

Joshua Johnson &
Thomas F Graham
vs.
William McNeish

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Illinois and was argued by Counsel On consideration whereof It is adjudged and ordered that the Judgment of the said District Court in this case be and the same is hereby affirmed with costs.

On Motion ordered that Henry W. Conright, Henry R. Nicholls and Thomas C. Grafton Esquires be admitted to practice as Attorneys and Counsellors of this Court.—

Friday February 28th 1823 Cont.a

Lovell	Danforth Defen	This cause was argued
	vs	by Mr Swann & Mr
John	(Mear	Hunt for the appellant
		and by Mr Williams
		for the defendant. —

Proclamation being made the Court is adjourned until tomorrow morning at the eleven Oclock. —

Saturday Morning March 1st 1823 —

Pursuant to adjournment the Court met this morning at the Capitol —

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
The Honble	William	Johnson	Associate
	Gabriel	Duvall	Justices.
	Joseph	Story	

Proclamation being made the Court is opened

The United States
30. vs
The Sloop Pitt
Jesse Hennen & Co Claimt

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Delaware and the further proof in the cause; and was argued by Counsel on consideration whereof. It is ordered and decreed that the decree of the said Circuit Court for the District of Delaware in this cause be and the same is hereby affirmed. —

Saturday March 1st 1823. Court.

The United States
vs
The Cargo of the Sloop Pitt
Jones Master &c. Claimants

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Delaware, and on further proof in the cause, and was argued by Counsel On consideration whereof. It is decreed and ordered, that the decree of the said Circuit Court for the District of Delaware in this cause be and the same is hereby affirmed. —

The Brig Mary Ann
&c. &c. Claimant
vs
The United States

This cause came on to be heard on the Transcript of the Record of the District Court of Louisiana, and was argued by Counsel, on consideration whereof this Court is of opinion that the Libel filed in the cause is insufficient to sustain the Sentence pronounced by the District Court, because it does not state with sufficient certainty the fact on which the offence charged therein was committed. and, because also that it does not allege that the Brig Mary Ann was of the burthen of forty tons or more. This Court is therefore of opinion that the Sentence of the District Court of Louisiana condemning the Brig Mary Ann her Tackle Apparel and furniture as forfeited to the United States is erroneous, and doth reverse and annul the same, and this Court doth further adjudge order and decree that the cause

[illegible]

Saturday March 1st 1828. Cont'd

be remanded to the Circuit Court of the United States for the District of Louisiana with directions to allow the Libel to be amended, and to take such further proceedings in the said causes as Law and justice may require.

122 Casks of Wine Hazard & Williams Claimants — vs The United States	This cause was argued by Mr Ogden for the Claimants and by the attorney General for the defendants —
Robert J Taylor vs John T Mason	This cause was opened by Mr Jones for the appellant Court. —

Proclamation being made the Court is adjourned until Monday Morning next at eleven o'clock —

Monday Morning March 3? 1823.

Pursuant to adjournment the Court met this morning at the usual hour.

Present —

The Honorable John Marshall Chief Justice.
Bushrod Washington
The Hon'ble: William Johnson
Gabriel Duvall
Joseph Story
} a special Justices —

Proclamation being made the Court is opened —

Robert I Taylor
vs
John T. Mason

This cause was further argued by Mr Emmet for the defendants. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Tuesday Morning March 4th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
The Hon'ble: William Johnson } Associate
Gabriel Duvall } Justices
Joseph Story

Proclamation being made the Court is opened

182 Casks of Wine
Hazard & Williams
Claimants —
vs
The United States

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel

On consideration whereof It is decreed and Ordered that the Sentence of the District Court for the District of Louisiana condemning the said 182 Casks of Wine as forfeited to the United States be and the same is hereby reversed and annulled. And it is further decreed and Ordered that the cause be remanded to the said District Court of Louisiana, with directions to allow the Libel in this case to be amended, and to take such further proceedings in the said cause as Law and Justice may require.—

Tuesday March 4th 1823. Cont.

Robert A Taylor vs John F Mason	This cause was further argued by Mr Hunt for the defendant and by Mr Harper for the plaintiff. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Wednesday Morning March 5th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable John Marshall Chief Justice
Bushrod Washington.
The Hon'ble William Johnson } Associate
Gabriel Duvall & } Justices.
Joseph Story

Proclamation being made the Court is opened.

The United States
vs.
William H. Robinson

This cause came on to be heard and the Transcript of the Record of the District Court of the United States for the District of Alabama, on consideration whereof. It is adjudged and ordered that the writ of Error in this cause be and the same is hereby dismissed this Court not having Jurisdiction in said cause.

Robert I. Taylor
vs.
John F. Mason

This cause was further argued by Mr. Wirt for the appellant.

Wednesday March 5th 1823 Cont.

Archibald Gracie & others
Con
Mo
John Palmer & others

Mr Ogden commenced the argument of this cause for the Plaintiffs. —

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock —

Thursday Morning March 6th 1823. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
The Hon'ble William Johnson } Associate
Gabriel Duvall } Justices
Joseph Story

Proclamation being made the Court is opened

Archibald Graeme } vs
Jethro } No
John Palmer } vs
Jethro }

This cause was further argued by Mr Ogden and Hopkinson for the Plaintiffs and by Mr Sergeant for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Friday Morning March 7th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable John Marshall, Chief Justice,
Bushrod Washington,
The Hon'ble William Johnson } Associate
Gabriel Duvall } Justices—
Joseph Story

Proclamation being made the Court is opened.—

On Motion ordered that Solon Spencer Smith Esquire be admitted to practice as an attorney and Counsellor of this Court—

The Ship Francis & Eliza
Charles Fleming & Christopher
Richardson Claimants
vs.
The United States—

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana, and was argued by Counsel, on consideration whereof it is decreed and ordered that the decree of the District Court for the District of Louisiana in this case condemning the Ship Francis and Eliza her tackle apparel and furniture as forfeited to the United States be and the same is hereby reversed and annulled, and the Libel

(proceeding)

Friday Morning March 7th 1823. Court.

proceeding to grant such decree as the said District Court should have passed. It is further decreed and ordered that the said Ship Summers and Cargo, her tackle apparel and furniture be restored to the Claimants —

The Schooner Summary
Francis T. Armony Claimt
vs.
The United States

This cause coming on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by counsel, on consideration whereof, It is decreed and ordered that the decree of the District Court for the District of Louisiana in this cause condemning the Schooner Summary her tackle apparel and furniture as forfeited to the United States be and the same is hereby affirmed with costs. —

Jonathan Affelon
vs.
Elias Francis use of
Nicholas Francis

On motion of the defendant by his Counsel, It is ordered that the writ of Error in this case be and the same is hereby dismissed. It not appearing that the matter in dispute is sufficient to give this Court jurisdiction in this case —

Friday March 7th 1823. Cont'd

Charles Glover
vs
The Central Bank of Georgetown and Washington now of the Farmers & Mechanics Bank of George Town

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington, and was argued by Counsel on the part of the Defendant on consideration whereof. It is adjudged and decreed that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of ten per centum per annum including interest on the amount of the Judgment of the said Circuit Court.

Archibald Grace & others
vs
John Palmer & others

This cause was further argued by Mr Wirt for the Plaintiffs.

John Keough
vs
Benjamin F Haggs & wife

This cause was argued by Mr Key for the Plaintiff and by Mr Jones for the Defendants.

Friday March 7th 1823 Court

Achilles and Landen
Proceed
vs
Ichis Minister & others

This cause was argued by Mr Talbot for the plaintiffs

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Saturday Morning March 8th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice
Bushrod Washington
The Hon'ble William Johnson } Associate
Gabriel Duvall } Justices.
Joseph Story

Proclamation being made the Court is opened.—

A & E Treed
vs
John Lesley & others

This cause was further argued by Mr. Wm. D. Harding for the defendants & by Mr. Talbot for the plaintiffs.—

Jacob Ashbridge Exr
vs
John G. Conway Exrs

This cause was argued by Mr Ashton for the plaintiff & by Mr. Hoffman & Mr. Key for the defendants.—

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.—

Monday Morning March 1st 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable John Marshall, Chief Justice
The Hon.ble Bushrod Washington, William Johnson, Gabriel Duvall & Joseph Story, Associate Justices.

Proclamation being made the Court is opened.—

William Haslett 5% vs Sarah Bramfa Exx of William Bramfa dec.d

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in the County of Alexandria, and was argued on the part of the defendant in consideration whereof. It is adjudged & ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of ten per centum per an. from the date of the Judgment of the said Circuit Court.—

400

Monday March 10th 1823 Cont.d

Baleh	Kirk & others	This cause was argued by Mr
	vs	Clay for the plaintiffs, and by
Sahm	Penns Lessee	Mr Sergeant for the defendants

Proclamation being made the Court is adjourned until to morrow morning at eleven oclock.

Tuesday Morning March 11th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable John Marshall Chief Justice
The Hon'ble Bushrod Washington, William Johnson, Gabriel Duvall & Joseph Story — Associate Justices

Proclamation being made the Court is opened

Caleb Kirk & others vs John Peters Defts. — This cause was further argued by Mr. Sergeant for the Defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday Morning March 12th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice.
	Bushrod Washington	
The Hon'ble	William Johnson	associate
	Gabriel Duvall &	Justices
	Joseph Story	

Proclamation being made the Court is opened.—

On Motion first made to the Court. It is ordered that Beaufat T Watts Esquire and John P Kennedy Esquire be admitted to practice as attorneys and counsellors of this Court.—

Thomas Wade Richard Veitch
James Wallace Edwards &
Garnett and Hugh W. Mumley
16. " "

Mary Mumley wife of Hugh W.
Mumley by George F Brother her next
friend. & John P Mumley Mary W
Mumley Jane B Mumley & Anne B.
Mumley infant children of said
Mary & H. W. Mumley by the said
George F Brother their next friends

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Virginia and was argued by Counsel on consideration whereof. It is decreed and ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

Wednesday March 12th 1823 - Cont.d

The Society for the propagation of the Gospel in foreign parts vs The Town of New Haven and William Wheeler	This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Vermont on a question on which the Judges of said Circuit Court were opposed in opinion, and was argued by Counsel; On consideration whereof this Court is of opinion, that on the facts stated in the special verdict of the Jury in said cause, the said plaintiffs are entitled to recover - All which is ordered to be certified to said Circuit Court for the District of Vermont. —

Caleb Keith & others vs John Penn's Piper	This cause was further argued by Mr Smith for the Defendants and by Mr Wheeler for the Plaintiffs

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Thursday Morning March 13th 1823.-

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall. chief Justice
Bushrod Washington
The Hon'ble William Johnson. Associate
Gabriel Duvall & Justices.
Joseph Story

Proclamation being made the Court is opened.

Richard Smith Defft
of Arthur Daley
61. Cir. No.
Same James

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Pennsylvania, and was argued by Counsel; on consideration whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with Costs.

Isham Brander
23. Cir. No.
Duncan McArthur

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Ohio, and was argued by Counsel, on consideration whereof It is decreed and ordered that the Decree of the said Circuit Court in this cause be & the same is hereby affirmed with co

Thursday March 13th 1823 Cont.

Caleb Kirk & others		This cause was further argued by Mr Meredith for the plaintiffs. —
&	vs	
Isaac Penns Esqr.		

John McConnell		This cause was argued by Sqr. M. D. Hardin for the plaintiff
&	vs	
T. L. Poyle & others		

The Corporation of Washington		This cause was argued by Mr Key for the plaintiff and by Mr Jones for the defts.
&	vs	
Robt Francis & others		

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. —

Friday Morning March 14th 1823.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

The Honble:	Bushrod Washington	Associate Justices
	William Johnson	
	Gabriel Duvall &	
	Joseph Story	

Proclamation being made the Court is opened.

On Motion first made to the Court. It is ordered that W. Mc Gibson Esquire be admitted to practice as an attorney and Counsellor of this Court.—

Archibald. Gracie. William Gracies and Charles King under the firm of Archibald Gracie & Sons.
62.
&c
John Palmer. Patrick Maitland & Henry Williams Robinson. under the firm of Palmer & Company

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Pennsylvania. and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled: and this Court proceeding to render such Judgment as the said Circuit Court should have rendered. It is

Friday Morning March 14th 1823 Cont.d

further adjudged and ordered that Judgment be entered for the said Archibald Grason Jeans the Defendants in said Leirenit Cause on the Special verdict in the case, with Costs of suit. —

Anderson Schuldings Exr of Jacob Schuldings dec.d — 64. — vs — Thomas T. Emory Junr and William G. McElwee Exrs of Isaac Ely Coonegys deceased

This cause coming on to be heard on the Transcript of the Record of the Leirenit Court of the United States for the District of Maryland and Virginia and was argued by Counsel. On consideration whereof It is adjudged and ordered that the Judgment of the said Leirenit Court in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Leirenit Court. —

Joseph Wheaton 49. vs Isaac Lewis Executor of Frances Peyton

This cause came on to be heard on the Transcript of the Record of the Leirenit Court for the District of Columbia in the County of Washington and was argued by Counsel on consideration whereof It is adjudged and ordered that the Judgment of the said Leirenit Court in this case be and the same is hereby affirmed with costs. —

Friday March 14th 1823. Cont.d

Peter R Beverley
&c
vs
Henry St George Tucker

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexa. and was argued by Counsel on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court. —

Clement T. Hewett
&c
vs
William Timms Christopher Rhodes and Richard K. Randolph Administrators of Timms Rousmanier deceased

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel on consideration whereof. This Court is of opinion that the said Circuit Court erred in sustaining the demurrer of the defendants and dismissing the Bill of the complainants. It is therefore decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby reversed and annulled. and it is further ordered that the said cause be remanded to the said Circuit Court with directions to permit the defendants to withdraw their demurrer and to answer the bill of the complainants —

Friday March 14th 1823. Cont.d

John Keough
vs.
Benja.n F. Heggy
and Sarah his wife

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington, and was argued by Counsel, on consideration whereof. It is the opinion of this Court that the said Circuit Court erred, in instructing the Jury, that it was competent for the Plaintiff to recover in the present action the sums directed to be paid to the said Meadows on the said order, without proving any express promise on the part of the said defendant to pay the same. It is therefore adjudged and ordered, that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled. And it is further ordered that said cause be remanded to the said Circuit Court with instructions to award a venire facias de novo. —

Daniel M.t Elroy
vs.
John Lee Executor of
Samuel Bleight

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel on consideration whereof. It is ordered and adjudged that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and

(annulled.)

Friday March 14th 1823. Contd

and annulled. And it is further ordered, that Louis Lecuyer be remanded to said Parish Court with directions to issue a venire facias de novo. —

Rule. —

No causes will hereafter be heard, until a complete record containing in itself without reference elsewhere all the papers exhibits, depositions and other proceedings which are necessary to the hearing be filed in this Court —

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock —

Saturday Morning March 15th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble	Bushrod Washington William Johnson Gabriel Duvall Joseph Story	Associate Justices

Proclamation being made the Court is opened.

John B. Bernabeu on behalf of his Catholic Majesty the King of Spain
42.
The Brig Clementine &c
John D. Daniels

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland, and the Counsel for the parties and was argued by Counsel on consideration whereof.

It is decreed and ordered that the decree of the said Circuit Court dismissing the Libel in said cause be and the same is hereby reversed and annulled. And this Court proceeding to pass such decree as the said Circuit Court should have passed It is further decreed and ordered that the said Brig Clementine her tackle apparel and furniture be restored to His Catholic Majesty the King of Spain. —

Saturday March 15th 1823. Cont.

The Mayor Aldermen & Commonalty Council of the City of Washington Esqrs vs Henry Pratt, John Mullen Junr. John Ashley Executor and James Greenleaf

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by Counsel on consideration whereof. It is decreed and ordered. That the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Nicholas Young Junr Exor of Notley Young dec'd vs James Greenleaf & others

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington, and was argued by Counsel, on consideration whereof. It is decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed and annulled without prejudice. And it is further ordered that said cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law. —

Saturday March 15th 1823 Cont.d

Nicholas Lucas & Landon Speed
vs
John Winston Coburn & Winston and John Ors. Price —

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel. On consideration whereof. It is decreed and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum including interest on the amount of the Judgment of the said Circuit Court. —

John Taylor —
vs
Robert R Richardson and Exr of Thomas Richardson

On motion of the Defendant by his Counsel. It is Ordered that the writ of Error in this cause be & the same is hereby dismissed. —

His Catholic Majesty the King of Spain
vs
Robert Oliver & John Oliver Surv.s of Robert & John Oliver

Came now, March 15th 1823 the Court being ready to adjourn and it appearing that the Plaintiff in Error has not filed the Record according to the rule & of the Order made the 20th day of February last & on motion of Counsel for the Defts. in error. It is ordered that the order of Court made on the 4th of Feby last dismissing the writ of Error be and the same is hereby made absolute —

Saturday March 15th 1823. Cont.d

George M Ogden
20 ats
Times Fanciers

On Motion of Mr Rhea of Counsel for the defendant in error Ordered that unless the Personal Representatives of the Plaintiffs in error (whose death pending the writ of error in this cause has been suggested on the Record) shall become parties to the cause within two days of the ensuing term, the defendant in error shall be entitled to have the writ of Error dismissed - and it is further ordered that a copy of the present order shall be printed in some Newspaper at the Seat of Government in which the Laws of the United States shall be printed by authority three successive weeks, at least sixty days before the beginning of the next ensuing Term of this Court. —

Edmund I Lee
163. ats
Jahn Mumphey Exr
of Jahn Fairchilds

The defendant in error having produced a certificate from the Clerk of the Circuit Court for the District of Columbia in the County of Alexandria that a writ of error had been issued in this case and the Record not having been filed. It is ordered that the said cause be dismissed, and that the writ of Error be and the same is hereby dismissed. —

Saturday March 15th 1873 Court adjourned

The entries made in the following cases are entered in the last days proceedings of the Court, their respective dates not being known. —

George M Ogden vs Lewis Parsons	Plaintiffs motion suggested and order of publication.

James Taylor's Executors vs Thomas Mumford & others	Commission and returns ordered for plaintiffs Counsel for such exhibits as have not been heretofore filed certified - including the entry of Samuel Marsh, Esq as the hearing of the case. —

The Cargo of the Brig Fanny Nathan Perry Claimant vs Joaquim José Marques Consul Genal. of Portugal	Continued by Consent.

Saturday March 15th 1823. Cont.d

Joaquim Jose Vasques Consul General of Portugal 66 vs Nathan Levy Claimant of the Cargo of the Brig Fanny	Continued. by Consent.

Ralph Ashcraw & others 67 vs The Bank of the U States	Limitation & Certiorari awarded.

John Lehaw & others 71 vs Joaquim Jose Vasques Consul General of Spain	Continued by Consent

Jaques Edes 136 vs Archibald Clarke	Limitation & Certiorari awarded and issued for Defendant.

Philemon Thomas 168 vs Benjamin Johnston & others	Certiorari for Libel and defamation not formerly issued.

Saturday March 15th 1823

Proclamation being made the Court is now adjourned to the time and place appointed by Law. —

Alexander McCormick
29 &c
Simeon Bates

Plaintiff, and the Suggestion and appearance of Wm. J. McCormick one of the Defendants as the Suggested and appearance of Benjamin F Trent one of the Executors entered and cause continued. —

Proclamation being made the Court is now adjourned to the time and place appointed by Law. —

August Term 1823.—

At a Session of the Supreme Court of the United States begun and held at the Capitol of the United States in the City of Washington being the present Seat of the National Government of the United States on the first Monday of August (being the day of the same month) in the year of our Lord one thousand eight hundred and twenty three and of the Independence of the United States the Forty Eighth. Agreeably to Statute in such case made and provided. The Honorable one of the associate Justices of the Supreme Court of the United States and resident of this District in the State of Maryland was present and the Clerk of the said Supreme Court attending.

It is ordered by the said Court that the following entries be made in the following words, to wit:

David	Lane & others		Continuance from last Term.
1		vs	
Walter	Lenox & Jefferson		Continuance.

Isaac	Green		Continuance from last Term.
2.		vs	
James	Kennedy & others		Continuance.

August Term 1823.—

Silas	Ballard	Continues from last Term
3.	ditto	
Samuel	Bell.	Continues

William	Campbell	Continues from last Term
1	ditto	
Pratt.	Farmer & others	Continues

Bullow	Jackson	Continues from last Term
6	ditto	
Simms	Fitzhugh & others	Continues —

Yerby	& Woodward	Continues from last Term
6.	ditto	
Thomas &	Isaac K. Graham	Continues —

George	M Queen	Continues from last Term
7	ditto	
Dennis	Landers	Continues —

Josiah	Lanford & others	Continues from last Term
3	ditto	
Solon	Mear	Continues

Silas	Edmondson	Continues from last Term
9	ditto	
Hubbard	Taylor & others	Continues

August Term 1823.—

Robert I. Taylor	Continued from last Term
10 vs	
John T. Mason	Continued

William D. McCormick	
admr. of Alex. McCormick dec'd	Continued from last Term
11. vs	
Benjamin F. Farrish and	
Charles Venable Executors	Continued
of Dania Bates dec'd	

Philip Doddridge Pipes	
12. vs	Continued from last Term
John C. Wright. Assistant Attorney	
Thomas Thompson — Def't.	Continued

George Heathen Piper	Continued from last Term
13. vs	
Ann M. Turner	Continued

James Taylor Executor	Continued from last Term
14 vs	
Thomas H. Pennington Father	Continued

William McCormick Father	Continued from last Term
15. vs	
Samuel Finley & others	Continued.—

August Term 1823.—

John Stephens	Continued from last Term
16. vs	
Radford McCargo & others	Continued.—

The Cargo of the Brig Fanny	
Nathan Levy & claimant	Continued from last Term
17. vs	
Joaquim Jose Vasques	Continued.—
Consul General of Portugal	

Joaquim Jose Vasques	
Consul General of Portugal	Continued from last Term
18. vs	
Nathan Levy & claimant	Continued
of the Cargo of the Brig Fanny	

Rudolph Oelrichs & others	Continued from last Term
19. vs	
The Bank of the United States	Continued

George Smith	Continued from last Term
20. vs	
John M Iver	Continued

Caleb Kirk & others	Continued from last Term
21. vs	
Stock Smith Executor of John Penn.	Continued.—

August Term 1823.

The United States		Continued from last Term
23.	vs	
John Kirkpatrick		Continued —
& Robert Ramsay		

Ephraim Miller		
23.	vs	Continued from last Term
Thomas Stewart &		
Stephen & Nesbitt		Continued —

John Lehaw & others		
24.	vs	Continued from last Term
J. J. Marques Leonard		
General of Portugal		Continued —

Edw. McDaniell		Continued from last Term
25.	vs	
Jacinsen & Peyton & others		Continued

Isabella McBrien & Fifer		Continued from last Term
26	vs	
Henry D. Pannell		Continued

The United States		Continued from last Term
27.	vs	
The Margaret alias		Continued
The Carlos Fernando		

August Term 1823.—

The United States		Continued from last Term
28.	do	
The Schooner Flight		Continued.—
de Leeuw & Cargo		
Thomas Gibbons		Continued from last Term
29.	do	
Aaron Ogden		Continued.—
Frederick Bonds		Continued from last Term
30.	do	
James M. Peters &		Continued.—
Rufus Stebbins		
Mellan Rankin & Gallop		Continued from last Term
31.	do	
Thomas Tarrance		Continued
John McKeen & others		Continued from last Term
32.	do	
Nathaniel Mallets		Continued
Joseph Kerr		Continued from last Term
33.		
Archibald Mason's Heirs &c		Continued.—

August Term 1823 —

Andrew	Malden	Continued from last Term
34.	do	
Lewis	Craig and	Continued —
Jonathan	Rose	

Thomas	Cannaleheus	Continued from last Term
35.	do	
Henry	Banks	Continued —

Henry	Banks	Continued from last Term
36.	do	
Thomas	Cannaleheus	Continued

Joseph	Mandeville	Continued from last Term
37	do	
Joshua	Schuldfield	Continued

Andrew	Battle	Continued from last Term
38	do	
George	Coleman	Continued

James	Heughes heirs	Continued from last Term
39.	do	
John	Edwards Heufe.	Continued —

August Term 1823.

The United States Claimants of African Negroes &c No. Charles Mulvey Master Claimants &c	Continued from last Term Continued
Thomas H. Smith Claimant of Sundry Chests of Tea No. The United States	Continued from last Term Continued
The United States No. The Claimants of African Negroes part of the Cargo of the Antelope or Ramirez	Continued from last Term Continued
Clayman & Clark No. Packard & Starr	Continued from last Term Continued
Nabbet Thacher No. Archibald Thomas & Thos	Continued from last Term Continued

August Term 1823

The Phila Family R. Broadfoot Claimant	Continued from last Term
45. do The United States	Continued
The Brig Caroline R. Broadfoot claimant	Continued from last Term
46. do The United States	Continued
Robt Mc Neeman 47 do Joseph Jackson & Sefton	Continued from last Term Continued
Samuel Meredith, Exrs 48. do George Pickett & others	Continued from last Term Continued
Isaac G. Pearson & ano James Carter 49. do Richard N. Harrison & Gabriel D Evans	Continued from last Term Continued
George Magruder 50. do The Bank of Washington	Continued from last Term Continued

August Term 1823.

Daniel Renner		Continued from last Term
51	No	
The Bank of Columbia		Continued. —

Elisha Riggs		Continued from last Term
52.	No	
John Taylor		Continued

Charles Glover		Continued from last Term
53.	No	
Robert Marshall		Continued

John Mason		Continued from last Term
54.	No	
John Muncaster & Thos		Continued

Edmund J. Lee		Continued from last Term
55.	No	
The Bank of Alexandria		Continued —

The Schooner Merino & Cargo		
W. B. Robertson Claimant		Continued from last Term
56.	No	
Thos Mullen Hall		Continued. —

August Term 1823.—

The Schooner Laura Barge Francis Payton Claimant vs The United States	Continued from last Term
57.	Continued
The Schooner Constitution Barge Isaac Wheeler Master vs The United States	Continued from last Term.
58.	Continued —
Frances Barras & others vs 19 African Slaves	Continued from last Term
59.	Continued
Smith Morriga et al vs 6 African Slaves	Continued from last Term
60.	Continued
Laura Magee et al vs 84 African Slaves	Continued from last Term
61.	Continued
Lamb Stewart vs John P. Magee & Wm Magee admrs of Henry Magee dec'd	Continued from last Term
62.	Continued. —

August Term 1823.—

Phileman R Starr & Garret Smith	Continued from last Term
63 no	
Thomas Benedict & Charles Richardson	Continued
Fabre & Johnson	Continued from last Term
64 no	
Pullman Low	Continued
Parke Mallon	Continued from last Term
65 no	
The United States	Continued
Heeny Powell	Continued from last Term
66 no	
Simmons Turner Exec.	Continued
Thomas Janney	Continued from last Term
67 no	
The Columbian Insurance Company of Alexandria	Continued
William Hamlet	Continued from last Term
68 no	
The Bank of the United States	Continued

August Term 1823.

William Hartshorn et al by Joseph Smith use of Robert I. Taylor	Continued from last Term Continued
Thomas Tennant 70. No The Process of the Ship Monte Alegre & Bango	Continued from last Term Continued
Louis Burke & Claimant of Sundry goods &c 71 No Joaquim Zamorano	Continued from last Term Continued
Joaquim Zamorano 72. No Louis Burke & Claimt &c	Continued from last Term Continued
James Forbes and Louis Burke 73. No The Proceeds of Sundry goods &c & Joaquim Zamorano	Continued from last Term Continued

August Term 1893.

Philemon	Thomas	Continued from last Term
74	No	
Estes	Harrison Heirs	Continued
Conrad	Giles	Continued from last Term
75	No	
Thomas	Boulware Watkins & Epps	Continued
Patrick H	Darby & Epps	
76	No	Continued from last Term
Christian	Mayer and	
Lewis	Brantley	Continued
Joseph	Long Watkins	Continued from last Term
77	No	
Elizabeth	Coburn	Continued
Samuel	Hayward	Continued from last Term
78	No	
Achilles	Cofrey	Continued
Charles J.	Cabell	Continued from last Term
79	No	
Alexander	A. Brodie	Continued

August Term 1823

Thomas Wright		Continues from last Term
80.	do	
John Page Lefore		Continues. —
Thomas Shields & others		Continues from last Term
81.	do	
The United States		Continues. —
The Bank of the United States		Continues from last Term
82.	do	
The Bank of the State of Georgia		Continues. —
Allen Armstrong		Continues from last Term
83.	do	
Temple K. Tyler		Continues. —
The United States		Continues from last Term
84.	do	
Thomas Morris		Continues. —
John Smith T		Continues from last Term
85.	do	
Mitchell & Winston		Continues. —
The [illegible] of Brunswick		Continues from last Term
86.	do	
John McGrew		Continues —

August Term 1823.—

Amos	Edwards & Lefevre	Continued from last Term
87	vs	
Felix	Grundy & others	Continued
The United States and the officers &c of the Schooner Grampus		Continued from last Term
88	vs	Continued
The Brig Palmira		
Jonathan	Manro & others	Continued from last Term
89	vs	
Joseph Almeida & the goods &c of the Almeida		Continued
Cornelius	Van Lerlett	Continued from last Term
90	vs	
John R. Livingston		Continued
The Schooner Plattsburg		
Juan Marins Claimant		Continued from last Term
91	vs	
The United States & the officers &c of the Cayane		Continued
Rezin	St Clare	Continued from last Term
92	vs	
The Executors of Bk of Washington		Continued

August Term 1823

Obins Williams vs	Continued from last Term
93 No	
Ezekiel Morris	Continued
George W. Campbell vs	Continued from last Term
94. No	
Ezekiel Morris	Continued
Samuel Keplinger vs	Continued from last Term
95. No	
Michael Le Young	Continued
Samuel Keplinger vs	Continued from last Term
96. No	
Michael Le Young	Continued
Joaquim Jose Nasques Consul General of Portugal vs	Continued from last Term
97. No	
Sundry quantities of Gold & Silver Bullion &c.	Continued
John L. Daniels & Warrant	
Simon Perkins vs	Continued from last Term
98. No	
Richard M. Hart Executor of Wm. Hart Deceased	Continued

August Term 1823.—

The Corporation of Washington use of McKeen & others vs Mares & Young		Continued from last Term Continued
99.	No.	

William Trent & others vs Gideon & Davis		Continued from last Term Continued
100.	No.	

The Ship Mariana Flora & Boarge. Rentua Anacleto & Britto Claimant vs The United States. The Alligator. —		Continued from last Term Continued
101.	No.	

Archibald & Clarke vs Jaques & Edes		Continued from last Term Continued
102.		

Jaques & Edes vs Archibald & Clarke		Continued from last Term Continued
103.	No.	

60 Pieces of Brandy. Kennedy & Maitland & Claimts vs The United States		Continued from last Term Continued —
104.	No.	

August Term 1823.

The Bank of the U States		Continued from last Term
105	Cap.	
Samil	Halstead &c	Continued
The Bank of the U States		Continued from last Term
106.	Cap.	
Thomas	January	Continued
James	Le Ucalf	Continued from last Term
107	Cap.	
James	Johnson & others	Continued
Thomas	Ramsay	Continued from last Term
108.	Cap.	
The Schooner	Perthshire & Cargo	Continued
Robert	Hamilton	Continued from last Term
109.	Cap.	
John T.	Johnson & others	Continued
The President & Directors of		
the Merchants Insurance Comp.y		Continued from last Term
110.	Cap.	
Willard	Peale & others	Continued

August Term 1823—

James Jackson &c dem.		Continued from last Term
Enoch Ti Johns		
111. No		Continued
Robert	Cheem	

Wm Cheem	Ohio	Continued from last Term
112. No		
Lyman	Martin	Continued

John	Lo. Littlepage	Continued from last Term
113. No		
John	Fowler & Wife	Continued

Philemon	Thomas	Continued from last Term
114. No		
Benjamin	Johnston & Wife	Continued

Estate of Isaac & Nicholas		
Garrenee's heirs		Continued from last Term
115. No		
Richard H Robertson.		Continued

William J. Mentzel		Continued from last Term.
116. No		
Samuel	Bufford	Continued

August Term 1823

Anthony F. Robinson & Thos		Continued from last Term
117	Ss	
George	Reinecken	Continued
Lucilla	Thornburg	Continued from last Term
118	Ss	
James	Black & others	Continued
Stephen	Harding & Thos	Continued from last Term
119	Ss	
Hanay	& Wheaton	Continued
Asa	Hendy	Continued from last Term
120	Ss	
Stephen	Harding & Thos	Continued
John	Cranacham and	
Peter	Mitchell	Continued from last Term
121	Ss	
William	Gabriel &	Continued
William	Lemmon	
John	Hawkins &	Continued from last Term
William	Mary	
122	Ss	Continued
Joshua	Barney's Exrs	

August Term 1823.

The Bank of the United States	Continued from last Term
123. Do vs Joseph Smith	Continues
(Alan (McLane, claimt of a moiety of the Forfeiture of the Cargo of the Ship Good Friends	Continued
124. Do vs The United States	
Robert G Shaw	
125. Do vs Ephraim Robins	Continues. —

Proclamation being made the Court is now adjourned to the time and place appointed by law

February Term 1824 —

At the Capitol of the United States in the City of Washington and District of Columbia, the present Seat of the National Government of the United States on the first Monday of February (being the Second day of the Same Month) in the Year of our Lord one thousand eight hundred and twenty four and of the Independence of the United States the Forty Eighth the Supreme Court of the United States met agreeably to Law. —

Present

The Honorable John Marshall, Chief Justice.

The Honorable	Bushrod Washington William Johnson & Gabriel Duvall	Associate Justices —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. —

Tuesday Morning February 3d 1824

Pursuant to adjournment the Court met this morning at the Capitol,

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Honble. Thomas Todd } Associate
Gabriel Duvall } Justices.
Joseph Story

Proclamation being made the Court is opened.

On motion first made to the Court. It is ordered that J. G. Isaacks. J. Blount. R. J. Whiting. J. M. Murray. C. A. Wickliffe and Wm. D. Merrick Esquires be admitted to practice as Attorneys and Counsellors of this Court.

Robert J. Taylor Charles F. Mercer John Scott Richard K. Randolph Wm. Thompson Chichester, Richard McCarty Barnes Chichester and George T. Ox Chichester

10 Nov.

John Thomson Mason

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel on consideration whereof it is ordered and decreed, that

(the)

Tuesday February 3? 1824. Cont?

the Decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Wednesday Morning February 4th 1824.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hoorble Thomas Todd Associate
Gabriel Duvall Justices —
Joseph Story —

Proclamation being made the Court is opened —

On Motion ordered that Aaron H. Palmer Esquire be admitted to practice as an attorney and Counsellor of this Court. —

Thomas Gibbons	vs	This cause was argued by Mr Webster for the appellant and by Mr Oakley for the Defendant
Aaron Ogden		

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Thursday Morning February 5th 1824.

Pursuant to adjournment the Court met this morning at the Capitol.

Present -

The Honorable John Marshall Chief Justice.
" Bushrod Washington
" William Johnson
The Hon'ble Thomas Todd associate
" Gabriel Duvall " Justices.
" Joseph Story

Proclamation being made the Court is opened. -

Thomas Gibbons	vs	This cause was further
Aaron Ogden		argued by Mr Oakley & Mr Emmet for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. -

Friday Morning February 6th 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John Marshall	Chief Justice	
	Bushrod Washington		
	William Johnson		
The Honble	Thomas Todd	Associate	
	Gabriel Duvall &	Justices.—	
	Joseph Story—		

Proclamation being made the Court is opened.—

On Motion first made to the Court. It is ordered that Ichabod Bartlett Esquire be admitted to practice as an attorney of this Court.—

Thomas Gibbons	vs	This cause was further argued by Mr Emmet for the Defendant.—
Aaron Ogden		

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Saturday Morning February 7th 1824.

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble	Thomas	Todd	Assocate
	Gabriel	Duvall &	Justices.
	Joseph	Story	

Proclamation being made the Court is opened —

On motion first made to the Court. It is ordered that Geo A Sheffield Esq of Kentucky William Parker, Esquire be admitted to practice as attorneys and Counsellors at this Court.

Edmund I Lee
vs.
The President Directors and Company of the Bank of Alexandria

By consent of parties in this cause by their Counsel It is adjudged and ordered that the Judgment of the Circuit Court of the United States for the District of Columbia in the County of Alexandria in this cause be and the same is hereby affirmed with costs. —

Saturday February 7th 1824. Cont.d

Thomas Gibbons
vs
Aaron Ogden

This cause was further argued by Mr Emmet for the defendt. and by Mr Wirt for the pltff.—

Proclamation being made the Court is adjourned until Monday morning at eleven O.clock.—

Monday Morning February 9th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Thomas Todd } Associate
Gabriel Duvall } Justices
Joseph Story

Proclamation being made the Court is opened.

On Motion first made to the Court, It is ordered that Geo W Richards and G. W. Olcott Esquires be admitted to practice as Counsellors & Attorneys of this Court.

The Cargo of the Brig Fanny - N Berry Claimt
vs
J. J. Vasques Consul General of Portugal
and
J. J. Vasques Consul General of Portugal
vs
N. Berry Claimant of the Brig Fanny —

These causes were argued by Mr Clemson for the Claimant and by Mr Hoffman for the Libellant. —

Monday February 9th 1824. Cont.d

Thomas Gibbons		This cause was further argued by Mr Hunt for the plaintiff. —
	vs.	
Aaron Ogden.		

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Tuesday Morning February 10th 1834

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice

	Bushrod	Washington	
	William	Johnson	
The Hon'ble:	Thomas	Todd	Associate
	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation having made the Court is opened.

William McClure
162. vs
William Ely

The defendant in error by Mr Kelly his counsel having moved to certify from the Clerk of the District Court of the United States for the District of Alabama that a writ of Error has been issued in this case which operated as a supersedeas and the record not having been filed agreeably to the rule of this Court It is ordered that the said writ of Error be and the same is hereby dismissed.

Tuesday February 10th 1824 Cont.

The Honorable Smith Thompson produced Letters Patent from the President of the United States dated the 9th December 1823. appointing him by and with the advice and consent of the Senate one of the Associate Justices of the Supreme Court of the United States and a Commission from the President allotting him to the Second Circuit formed by the Act of April 9th 1802 Also a certificate of his having taken the oath of office required by Law and subscribed in Court. —

George Mealey Plff vs Ann Ely Defendt	This cause was argued by Mr Emlen on the part of the Plaintiff—

Ralph Ogden to Use vs The Bank of the U States	This cause was argued on the part of the defendants by Mr Colley. —

On Motion Ordered, that Mr Thos A Brown Esquire be admitted to practice as an Attorney and Counsellor of this Court. —

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock. —

Wednesday Morning February 11th 1824

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble: Thomas Todd Associate
Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

Ralph Osborn vs Thos
&
The Bank of the United States

This cause was further argued by Mr Wright for the Plaintiff.

The United States
&
The Marquest alias
The Countess Fernando

This cause was argued by Mr Winder & the Attorney General for the Appellants & by Mr Key for the Defendants

On Motion first made to the Court It is ordered that B. F. H. Mitchell and Rich? Wallach Esquires be admitted to practice as Attorneys and Counsellors of this Court.

Wednesday February 11th 1824 Cont.d

The United States vs The Schooner St Lago &c Cont.d	This cause was argued by the Attorney General and Mr Hunter for the plaintiffs and by Mr Clinton for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Thursday Morning February 12th 1831

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, chief Justice.

	Bushrod Washington		
	William Johnson		
The Honble.	Thomas	Todd	assocate
	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is open.

The Motion first made to the Court. It is ordered that L.L.B. Reynolds and Christopher Rankin Esquires be admitted to practice as an attorneys and Counsellors of this Court.

George Smith vs John Mc Kee

This cause was argued by Mr Sands for the plaintiff in Error and Mr Swann for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Friday Morning February 13th 1824.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice.

The Honorable:	Bushrod	Washington	associate Justices
	William	Johnson	
	Thomas	Todd	
	Gabriel	Duvall	
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened —

John Hoomes. William Hoomes
Richard Hoomes Archibald Hoomes
& William Allen & Patsy Allen
his wife late Patsy Hoomes heirs
& Representatives of John Hoomes dec'd
164.
William Payton & David Payton

The defendants in Error by Mr Bibb their counsel having produced a certificate from the Clerk of the Circuit Court of the United States for the District of Kentucky that an appeal had been taken in this cause and the Record not having been filed agreeably to the rules of this Court. It is ordered that the said cause be rejected, and that the said appeal be and the same is hereby dismissed. —

Friday Morning February 13th 1824. cont?

Joseph Mandeville
37 vs
Joshua Schalfield

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by Counsel. on consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs. and damages at the rate of six per centum per annum, including interest on the amount of the Judgment of the said Circuit Court. —

Isabel Herbert
44 vs
Archibald Mains, Isaac Vanhuter, & Joseph Dawmeter administrators of William Mains dec?

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and the Plaintiff being called and not appearing. It is ordered that the writ of Error in this case be and the same is hereby dismissed with costs. —

Friday February 13th 1824 contd

George Smith &c John M'Ewen	This cause was further argued by Mr Eaton for the plaintiff. —
William Rankin & Gallaf &c Thomas Torrance	This cause was argued by Mr Jones for the plaintiffs. —
John M'Ewen & others &c Nathaniel Wakelen	This cause was argued by Mr Cunningham for the plffs & by Mr Taylor for the defendants
Ambrose Walden &c Craig & Rose	This cause was argued by Mr Taylor for the plaintiffs. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Saturday morning February 14th 1824

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice

The Honorable: Bushrod Washington, William Johnson, Thomas Todd, Gabriel Duvall, Joseph Story, Smith Thompson — assosiate Justices

Proclamations being made the Court is opened —

John Green
vs
James Kennedy & David F Crane & Polly his wife William R Budd Nancy Budd Geo. W. Budd Benjamin L Budd Jun.r Budd Emmanuel Budd & James A R Budd heirs and Representatives of James Budd deceased —

The plaintiffs death in this cause having been suggested in February Term 1818 and the Representatives appearing & the Defendants having been solemnly called and not appearing. It is ordered that the said cause be and the same is hereby abated. —

Saturday February 11th 1832 Court 1st

Robert	Wm. Newman	This cause came on to be
Jr.	vs	heard on the Transcript of
Joseph	Jackson's Lessee	the Record of the circuit

Court of the United States for the District of Pennsylvania in the County of Washington and on motion and by consent of the parties by their counsel It is ordered that the writ of Error in this cause be and the same is hereby dismissed with costs. c.

Joseph	Kerr	This cause was argued by
	vs	Mr Scott for the plff & by Mr
Archibald	Mason's heirs.	Smith argument of Mr Bush
		for the defendants. —

Samuel	Mason's heirs	This cause was argued by Mr
	vs	Bell for the plaintiffs & by Mr
George	Pickell & others	Talbot for the defendants. —

John	Mason	This cause was argued
	vs	by Mr Key for the de-
John	Muncaster & others	fendants. —

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock. —

Monday Morning February 16th 1824

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

	Bushrod	Washington	
	William	Johnson	
The Honble:	Thomas	Todd	assocl.
	Gabriel	Duvall	Justices.
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened.

Cahl Fink, Andrew Rutter, Jacob Kahn and George Fetner vs Richard Smith Sheriff of John Penn

This cause came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of Pennsylvania and was argued by Counsel. On consideration whereof, It is adjudged and ordered, that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

Monday February 16th 1824. Cont'd

Isabella McCreery Exr.
vs
Henry O. Pomeroy

This cause came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of Maryland, and was argued by Counsel On consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs —

John Mason
vs
John Mumaster & others. —

This cause was further argued by Mr. Key for the plaintiff —

Thomas H Smith Claimant of Sundry sheets of Tea
vs
The United States

Commissions ordered for Claimant and defendants —

Commission to New York returned this day. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. —

Tuesday Morning February 17th 1824. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Thomas Todd Associate
Gabriel Duvall Justices. —
Joseph Story
Smith Thompson

Proclamation being made the court is opened —

John McLean Plaintiff in Error
Compton & Evander McLean
vs
32.-
Nathaniel Markley

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof. It is adjudged and ordered that the writ of Error in this case be and the same is hereby dismissed it not appearing that the Supreme Court has jurisdiction in said cause —

Tuesday February 17th 1824. Cont.a

Sharon Bartle
38. vs
George Coleman

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria. and was argued by counsel. On consideration whereof, and on motion of the defendant by his counsel, It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs, and damages at the rate of ten per centum and per annum, including interest, on the amount of the Judgment of the said Circuit Court.—

Frederick Bates
30. vs
James W Peters and
Rufus H Stebbins

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by counsel on the part of the plaintiff— on consideration whereof It is the opinion of the Court that the said District Court erred in overruling the demurrer of the plaintiff to the plea of the defendants. It is therefore adjudged and ordered that the Judgment of the said District Court in this cause be and the same is hereby reversed and annulled: And it is further adjudged and ordered that the said cause be remanded to the said District Court of Alabama with directions to enter Judgment for the plaintiff— on the said District Court on the

Tuesday February 17th 1824. Cont'd

John Mason &c John Mennonsler & others	The cause was further argued by Mr Lee for the Defendants

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock

Wednesday Morning February 18th 1824.

Pursuant to adjournment the Court met this morning at the Capitol

Present:

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Hon'ble Gabriel Duvall associate
Joseph Story Justices.—
Smith Thompson

Proclamation being made the Court is opened.—

John Hopkins
vs
Radford McCargo & others

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel On consideration whereof It is ordered and decreed that the decree of the Circuit Court in this cause be and the same is hereby affirmed with costs.

Charles Glover
vs
Robert Marshall

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington on consideration whereof and on motion of the defendant by his Counsel It is adjudged and

(Ordered)

Wednesday February 18th 1824 - Contd

Ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs and damages at the rate of ten per centum per annum including interest on the amount of the Judgment of the said Circuit Court -

John	Mason	This cause was further argued by Mr Swann for the defendants and by Mr Mercer for the plaintiff -
do		
John	Munroe Junr	
& others		

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock -

Thursday Morning February 19th 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Gabriel Duvall & Joseph Story & Smith Thompson Associate Justices.—

Proclamation being made the Court is opened.—

On Motion ordered that Park Farrell, James Strong and Charles F Walsh Esquires be admitted to practice as attorneys and Counsellors of this Court.—

William Kennett
vs
The President Directors and Company of the Bank of the United States.—

On motion of the appellant by his Counsel. It is ordered that the writ of Error in this cause be and the same is hereby dismissed.—

Thursday February 19th 1824. Court

Peter A Remsen 166 Williams Ex'x	The defendant in Error by Mr Kelly his counsel having produced a certificate from the clerk of the Circuit Court of the United States for the District of Alabama, that a writ of Error had been issued in this case which operated as a Supersedeas, and the Record not having been filed agreeably to the rule of this Court It is ordered that the said cause be docketed and that the said writ of Error be and the same is hereby dismissed. —
The Ship Emily and Cargo Caroline No Broadfoot claimant 45 & 46 The United States	These causes were argued by Mr Barker for the Claimant and Mr Mr Duffie and the attorney General for the Defendant. —
The Schooner Marina Cargo W^m Robertson claimant vs The United States	This cause was argued by Mr Ingersoll for the plaintiff —
The Schooner Louisa Cargo. Sam^l Payton claim^t vs The United States	This cause was argued by Mr Ingersoll for the plaintiff —

Thursday February 19th 1824. Cont.d

The Schooner Constitution Ebenezer Whilden & Whilden Claimants — vs The United States	This cause was argued by Mr Ingraham for the Plaintiffs —
Frances Barnias & others vs 19 African Slaves —	This cause was argued by Mr. Ingraham for the Plaintiffs. —
Joseph Moreyra & others vs 6 African Slaves	This cause was argued by Mr. Ingraham for the Plaintiffs —
Laura Nagle & others vs 84 African Slaves	This cause was argued by Mr. Ingraham for the Plaintiffs —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Friday morning February 20th 1824.–

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Gabriel Duvall Chief Justice

	Bushrod Washington		
	William Johnson		
The Honble.	Thomas Todd		associate
	Gabriel Duvall		Justices
	Joseph Story &		
	Smith Thompson		

Proclamations being made the Court is opened.–

The Schooner Nancy Hodge		This cause was further argued by Mr. Ingersoll for the claimants and by Mr. Kelly & the attorney General for the defendants
W H Robinson	claimant	
vs		
The United	States	

The Schooner Fame Hodge		This cause was further argued by Mr. Ingersoll for the claimants & by Mr. Hall & the attorney General for the defendants.
Samuel Paxton	claimant	
vs		
The United	States	

Friday February 20th. 1824. Cont'd

The Tchoumuc Constitution Hunger Madam & White Claimants &c vs The United States	This cause was further argued by Mr Ingersoll for the Claimants & by Mr Kelly & the Attorney General for the defendants -
Frances Berrias & others vs 19 African Slaves	This cause was further argued by Mr Ingersoll for the Claimants and by Mr Kelly and the attorney Gen. for the defendants -
Joseph Noriego & others vs 6 African Slaves	This cause was further argued by Mr Ingersoll for the Claimants and by Mr Kelly & the attorney General for the defendants -
Louise Nagle & others vs 84 African Slaves	This cause was further argued by Mr Ingersoll for the claimants and by Mr Kelly and the Attorney General for the defendants -
Amos Edwards & Ogee vs Felix Grunay & others	Continued by agreement filed this day -

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. -

Saturday Morning February 21st 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

	Bushrod	Washington	
	William	Johnson	
	Thomas	Todd	
The Honble.	Gabriel	Duvall	Assocs.
	Joseph	Story	Justices
	Smith	Thompson	

Proclamation being made the Court is opened.—

On Motion first made to the Court by Mr. Thomas Key Thomas Esquire he was admitted to practice as an attorney and counsellor of this Court.—

The Schooner Nancy & Cargo	This cause was fully argued by Mr. Ingersoll for the Claimant.—
vs.	
The United States	

Proclamation being made the Court is adjourned until Monday Morning next at eleven Oclock.—

Monday Morning February 23? 1824.

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honble:	Bushrod Washington William Johnson Thomas Todd Gabriel Duvall Joseph Story Smith Thompson	associate Justices

Proclamation being made the Court is opened —

On Motion first made to the Court It is ordered that George Hoode Esquire be admitted to practice as an attorney and counsellor of this Court. —

Lessee	Paul & others	This cause was argued by Mr. Eaton for the plaintiff and by Mr Hopkins for the defendant.
	vs	
Wallen	Lessee Sifer	

Ephraim	Miller	This cause was argued by Mr. Woods for the plaintiff and by Mr. Key for the defendants. —
	vs	
Thomas	Stewart &	
Stephen &	Ustick	

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock —

Tuesday Morning February 24th 1823.—

Pursuant to adjournment the Court met this morning at the Court House.

Present —

	Bushrod	Washington	
	William	Johnson	
The Honble	Thomas	Todd	Associate
	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is open.—

On motion leave is granted to the Court to admit Jonathan Meredith Esquire to be enrolled to practice as an attorney and Counsellor of this Court.—

The Fleet Emily &c Broadfoot Claimt vs The United States	This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of South Carolina and was argued by Counsel on consideration whereof it is ordered and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

Tuesday February 24th 1824 - Cont.d

The Brig Caroline
N. Broadfoot Claimant
&c
vs
The United States

This cause coming on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of South Carolina and was argued by Counsel on Consideration whereof. It is decreed and ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Ephraim Miller
vs
Thomas Stewart &c

This cause was further argued by Mr Sergeant for the defendants and by Mr Wood for the plaintiff. —

George Magruder
vs
The Bank of Washington

Plaintiff's death suggested & appearance of George B. Magruder admitted entered —

George Magruder's adm.r
vs
The Bank of Washington

This cause was argued by Mr Key for the plaintiff. —

Judge Washington and Judge Duvall did not set in this cause. —

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Wednesday Morning February 25th 1824 –

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

	Bushrod	Washington	
	William	Johnson	
The Honble:	Thomas	Todd	associate
	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened –

Daniel	Stewart	vs	Certificate of Division
Henry	Ingles admrs		Returned this day

Daniel	Renner	vs	This cause was argued by Mr Webster for the Plaintiff and by Mr King for the defendants –
The Bank of Columbia			

(Justice Washington & Judge Duvall did not sit in this cause)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock –

Thursday Morning February 26th 1824.-

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honble.

Bushrod Washington
William Johnson
Thomas Todd
Gabriel Duvall
Joseph Story
Smith Thompson

Associate Justices.

Proclamation being made the Court is opened.—

Thomas H. Smith Claimant of Sundry Chests of Tea --- vs The United States	Return to commission issued in this case to Boston returned this day.—
Daniel Remsen vs The Bank of Columbia	This cause was further argued by Mr. Jones for the defendants & by Mr. Cheltin for the plaintiff.—
Elisha Riggs vs John Taylor	This cause was argued by Mr. Key for the plaintiff and by Mr. Kay for the defendant.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'Clock.

Friday Morning February 27th 1824 –

Pursuant to adjournment the Court met this morning at the Courthouse.

Present

	Bushrod Washington		
	William Johnson		
The Honble	Thomas Todd		Associate
	Gabriel Duvall		Justices.
	Joseph Story		
	Smith Thompson		

Proclamation being made the Court is opened.

Peter V. Johnson	This cause (on motion argued by
vs	Mr Bibb for the plaintiff &
Fullerton Low	by Mr Cruikshank for the Deft.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. –

Saturday Morning February 28th 1824.—

Pursuant to adjournment the Court met this morning at the Courthouse.

Present

The Honble:

Bushrod Washington	
William Johnson	
Thomas Todd	Associate
Gabriel Duvall	Justices
Joseph Story	
Smith Thompson	

Proclamation being made the Court is opened.—

Ephraim Miller
vs.
Thomas Stewart &
Stephen D. Ustick —

This cause comes on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of New Jersey certified to this Court between the Judges of the said Circuit Court and was argued by Counsel on consideration whereof, This Court is of opinion that the fourth plea of the said Thomas Stewart & Stephen D. Ustick on which the opinion of the Judges of said Circuit Court were opposed is good and sufficient in law to bar the said Plaintiff Ephraim Miller from having or maintaining his action aforesaid against the said defendants Thomas Stewart & Stephen D. Ustick - all which is ordered to be certified to said Circuit Court. —

23.

Court on division of opinion

Saturday February 28th 1824. Court do

The Cargo of the Brig Fanny
Nathan Penny Claimant
vs
Jacques Jose Vasques
Consul General of Portugal &c
and
Jacques Jose Vasques
Consul General of Portugal &c
vs
The Cargo of the Brig Fanny
Nathan Penny Claimant

These causes came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of Maryland and were frequently counsel on consideration whereof It is decreed and ordered that so much of the decree of the said Circuit Court as orders that the Claimant pay to the libellant the appraised value of the hides in the proceedings mentioned together with interest and costs of suit be and the same is hereby affirmed with costs, subject however to such deduction for freight as the said Circuit Court may hereafter direct to be paid out of said appraised value as may hereafter be decreed under the further proceedings in this cause —

And as to so much of said decree of said Circuit Court as directs the amount the amount of freight to be adduced agreeably to the previous order of said Circuit Court, the same is hereby reversed and annulled —

And it is further ordered that said cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law; for the purpose of ascertaining upon further proof Whether the Claimant had paid the freight of the hides to the owner of the Fanny;

and

Saturday February 28th 1834 - Contd

and if &c (whether the Claimant was a bona fide purchaser of said hides without notice - And if the said Court should not be satisfied from such further proof that the said Claimant Nathan Levy has paid the owners of the Fanny for said freight or that he was not such bona fide purchaser without notice, then in the instructions not to allow a deduction of freight from the said appraised value -

But if the said Claimant was such bona fide purchaser without notice, or if said freight had not been paid said Claimant to the owners of the Fanny then the freight for the hides excluding the freight on the legumen nilos, to be deducted from the appraised value of said hides. -

---

David Todd Jr who (Whitaker & Hopkins) Smith. -
1.

vs

John Doe Defendant of Walker Timms. -

The cause came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of West Tennessee and was argued by Counsel on consideration whereof this Court is of opinion that the said Circuit Court erred in instructing the Jury that the Defendant of the plaintiff had the Right to the Land in Controversy. It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same and the same is hereby reversed and annulled - And it is further ordered that said cause be remanded to the said Circuit Court with instructions to issue a venire facias de novo. -

Saturday February 28th 1824 Court

The United States
vs
27 The Schr called the Margaret of Baltimore alias The Carlos Fernando Thomas Harley Claimant

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by counsel On consideration whereof It is decreed and ordered that the decree of the said Circuit Court in dismissing the Libel be and the same is hereby reversed and annulled - and this Court proceeding to pass such decree as the said Circuit Court should have passed - It is further decreed and ordered, That the said Brigantine or vessel called the Margaret of Baltimore otherwise called The Carlos Fernando her tackle apparel and furniture be and is hereby condemned and as forfeited to the United States to be distributed according to Law -

Libel & Salvage
vs
Sullivan Corr

This cause was further argued by Mr Kell for the plaintiffs -

James Hughes Libs
vs
John Edwards Claf

This cause was argued by Mr Key for the plaintiffs and by Mr Mitchell for the defendants -

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock -

Monday Morning March 1st 1824 –

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble: Bushrod Washington, Wm Johnson, Thomas Todd, Gabriel Duvall, Joseph Story & Smith Thompson — Associate Justices –

Proclamation being made the Court is opened. –

On Motion first made to the Court It is ordered that R Johnson Fenwick Tallmadge & P Barker Esquires & Hitchcock Esquire be admitted to practice as Attorneys and Counsellors of this Court. –

Parker Walton vs The United States	This cause was argued by Mr Key for the plaintiff and the Attorney General for the defendants. –
Thomas Tennant – vs The proceeds of the Ship Allegre & Cargo. –	This cause was argued by Mr Wirt for the plaintiff. –

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. –

Tuesday Morning March 2d 1824.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Thomas Todd associate
Gabriel Duvall Justices
Joseph Story &
Smith Thompson

Proclamation being made the Court is opened

Thomas Gibbons
vs.
Aaron Ogden

This cause came on to be heard on the Transcript of the Record of the Court For the trial of Impeachments and Correction of Errors of the State of New York, and was argued by Counsel on consideration whereof this Court is of opinion that the several Licenses to the Steam Boats the Stoudinger and the Bellona to carry on the coasting Trade which are set up by the appellant Thomas Gibbons in his answer to the Bill of the appellee Aaron Ogden filed in the Court of Chancery for the State of New York, which were granted under an act of Congress passed in pursuance of the constitution of the United States gave full authority to them respectively to navigate the Waters of the United

(States)

Tuesday March 2nd 1824 Court?

States by Steam or otherwise for the purpose of carrying on the coasting trade, any laws of the State of New York to the contrary notwithstanding; and that so much of the several laws of the State of New York as prohibits vessels licensed according to the Laws of the United States from navigating the waters of New York by means of fire or steam is repugnant to the constitution and void. This Court is therefore of opinion that the decree of the court of the State of New York for the trial of impeachments and the correction of errors, affirming the decree of the Chancellor of that State, which perpetually enjoins the said Thomas Gibbons the appellant from navigating the waters from the State of New York with the Steam Boats the Stoudinger and the Bellona by Steam or fire is erroneous and ought be reversed and the same is hereby reversed and annulled: And this Court doth further direct order & decree that the Bill of the said Aaron Ogden be dismissed and the same is hereby dismissed accordingly.

Thomas Tenant
vs
The proceeds of the Ship Mark & Cargo

This cause was further argued by Mr Meredith for the plaintiff and by Mr Hoffman for the defendant.

Ex parte Charles Stroad and Gilbert Brundage. Rule for the District Judge of the Southern District of New York to shew cause why a Mandamus should not issue &c.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Wednesday Morning March 3? 1824 -

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice

The Honble: Bushrod Washington, William Johnson, Thomas Todd, Gabriel Duvall, Joseph Story, Smith Thompson — associate Justices

Proclamation being made the court is opened -

George Smith vs. John Mc Iver

This cause came on to be heard on the transcript of the Record of the Circuit Court for the District of West Tennessee and was argued by counsel, on consideration whereof, It is decreed and ordered, that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs.

Ambrose Malden vs. Fenis Craig and Jonathan Rose -

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky, and was argued by counsel on the part of the appellant

Wednesday March 3rd 1824. Cont'd

on consideration. Whereof It is adjudged and ordered that the writ of error in this case be and the same is hereby dismissed the same having improvidently issued.

Margaret M. Reed Henry M Reed Elizabeth Meredith Samuel Dickenson & Ann his wife Thomas Meredith Margaret Meredith & Maria Meredith heirs of Samuel Meredith deceased. —

48. Cy

George Pickett Alexr Mountjoy John W Stone & James Wilson

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by counsel on consideration whereof. It is decreed and ordered that the decree of the said Circuit Court ordering the injunction in this case to be made perpetual be and the same is hereby made reversed and annulled. And this Court proceeding to give such decree as the said Circuit Court should have passed. It is further decreed and ordered, that the Bill of the complainants be and the same is hereby dismissed with costs incurred by the defendants in said Circuit Court. —

Wednesday March 3rd 1824 Cont.d

Thomas Tennant vs The Proceeds of the Ship Monte Allegre & Cargo	This cause was further argued by Mr Hoffman & Mr Harper for the Defendant and by Mr Clunt for the Plaintiff. —
George M Ogden vs Lewis Landais	This cause was argued by Mr Haines for the Appellant. —

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock. —

Thursday Morning March 4th 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble:	Thomas	Todd	Associate
	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened.—

The Ship Emily
&
Broadfoot claimant
vs
The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of South Carolina and was argued by counsel on consideration whereof, It is decreed and ordered that the decree of the Circuit Court in this cause be and the same is hereby affirmed with costs.—

The Brig Caroline
&
Broadfoot claimant
vs
The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of South Carolina and was argued by counsel on consideration whereof It is decreed and ordered that the decree of the Circuit Court in this cause be and the same is hereby affirmed with costs.—

Thursday March 1st 1821 - Court &c

Ephraims &c vs Miller Thomas Stewart &c	This cause was further argued by Mr Sergeant for the defendants & by Mr Wood for the plaintiff.
George Magruders Administrator &c vs The Bank of Washington	This cause was argued by Mr Key for the plaintiff.
	(Bridges Washington & Stewart & al not set in this cause.)

Proclamation being made the Court is adjourned til tomorrow morning at eleven o'clock.

Thursday Morning March 4th 1824.

Pursuant to adjournment the court met this morning at the Capitol

Present. —

The Honorable John Marshall chief Justice.
Bushrod Washington
William Johnson
The Hon'ble: Thomas Todd associate Justices
Gabriel Duvall
Joseph Story
Smith Thompson

Proclamation being made the Court is opened. —

William Hoomlent &
Gustavus A. Brown
vs
Joseph Smith use of
Robert J Taylor

This cause came on to be heard on the Transcript of the Record of the circuit Court for the District of Columbia in the County of Alexandria on consideration whereof and on the motion of the Defendant by his counsel, It is adjudged and ordered that the Judgment of the said circuit court in this cause be and the same is hereby affirmed with costs & damages at the rate of ten per centum per annum including interest on the amount of the Judgment of the said circuit court. —

George M. Ogden
vs
Lewis Lanaux

This cause was further argued by Mr Jones for the Pltff. & by Mr Wheaton for Deft

Proclamation being made the court is adjourned until tomorrow morning at eleven Oclock. —

Friday Morning March 5th 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Honble Thomas Todd assocate
Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened &

Daniel Remer
vs.
The President Directors and Company of the Bank of Columbia

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia sitting in the County of Washington and was argued by Counsel. On consideration whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

The Schooner Constitution and Cargo Richard Wheeler Claimant...
vs.
The United States

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by Counsel on consideration whereof It is ordered and decreed that the decree of the said District Court forfeiting the said Schooner Constitution and Cargo found on board at the time of the seizure be and the same is hereby affirmed.—

Friday March 5th 1824. Court a

Frances Bennis Libelant
Baldwin Hugo Proctor &
Henry Micholet
vs
The African Slaves

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by counsel, on consideration whereof, It is decreed and ordered, that the decree of the said District Court in this case be and the same is hereby affirmed with costs. —

Joseph Marriage &
Frances Bonaldi
&c. vs
6 African Slaves

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by counsel, on consideration whereof, It is decreed and ordered that the decree of the said District Court in this case be and the same is hereby affirmed with costs. —

The Schooner Marine &
Hugo Wm H Robertson claimt
&c. vs
The United States

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by counsel on consideration whereof, It is decreed and ordered that the decree of the said District Court in this case be and the same is hereby reversed and annulled. And it is further ordered that the said cause be and the same is hereby remanded to the said District Court of Alabama with directions to permit the said Libellant to amend his Libel in said cause. .

The Schooner Lamar & Hugo
Samuel Payton claimant
vs
The United States

This cause came on to be heard on the Transcript of the Records of the District Court of the United States for the District of Alabama and was argued by counsel on consideration (whereof)

Friday March 5th 1824. Cont'd

Louisa Magee exx
Antonia de Pons
vs.
&c Africans Slaves

This cause came on to be heard on the Transcript of the Record of the District Court for the District of Alabama and was argued by Counsel on the part of the Libellants whereupon it is decreed and ordered that the decree of the said District Court in this cause be and the same is hereby affirmed reversed and annulled and this Court proceeding to pass such sentence & decree as

Whereof It is decreed and ordered that the decree of the said district Court in this cause be and the same is hereby reversed and annulled. And it is further ordered that the libel in this cause be and the same is hereby remanded to the said District Court of Alabama with directions to permit the said Libellants to amend their said libels in said cause.

Louisa Magee & Antonia de Pons
vs.
&c Africans Slaves

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by Counsel on the part of the

Whereof It is decreed and ordered that the decree of the said District Court in this cause be and the same is hereby reversed and annulled - and this Court proceeding to pass such sentence and decree as the said District Court should have passed. It is further decreed and ordered that the eighty four African slaves in the Libel mentioned be restored to the Libellants Claimants Antonia de Pons and Louisa Magee as aforesaid by them -

George M. Ogden
vs.
Pons Slaves

This cause was further argued by Mr. Key for the Plaintiffs and by Mr. Hallister for the Defendant -

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock -

Saturday Morning March 6th 1824 —

Pursuant to adjournment the Court met this morning at the Capitol

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble Thomas Todd assocate
Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened. —

On motion first made to the Court It is ordered that Wm Wirt Esq Att'y Gen'l of the U States and Dudley Marmon Enquires be admitted to practice as Attorneys & Counsellors of this Court. —

Richard Mc Johnson
James Johnson & Hawk
Sebree Sons of Johnson and
Johnsons —
64. 210
Pulliam Dow

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel on consideration whereof It is the opinion of this Court that the Circuit Court erred in instructing the Jury "That the Revenue officers entitled the Plaintiff is a sufficient against the Defendants" It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and it is further ordered that said cause be remanded to said Circuit Court with instructions to grant a venire facias de novo. —

Saturday March 6th 1841. Cont'd

John Alex. Lefroy of Toronto Barrister
v.
John Mann

This cause came on to be heard on the Demurrer of the Defendant to the Bill of Complaint filed in the Cause and was argued by Counsel on both sides thereof

This Court is of opinion that the said Bill of Complaint should be retained to let the grant be void to the Party - It is therefore adjudged and ordered that the Demurrer of the said Defendant to the said Bill be and the same is hereby overruled and annulled: and it is further ordered that the said Defendant do answer the said Bill of Complaint on the first Monday in June next

Philip Jacob Hagerman Lefroy
v.
John Mann

This cause was argued by Mr Cleaver for the Plaintiff and by Mr. Attorney General for the Defendant

Mallon Hamilton Wallbridge
v.
Thomas Torrance

This cause was further argued by Mr Hamilton for the Plaintiffs

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock

Monday morning March 8th 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorables John Marshall Chief Justice.—
Bushrod Washington
William Johnson
The Honbles: Thomas Todd } assocate
Gabriel Duvall } Justices
Joseph Story }
Smith Thompson

Proclamation being made the Court is opened.—

Thomas H. Smith
Claimant of Sundry
Goods &c &c
vs
The United States

This cause was argued by Mr Oglesby for the Claimant and Mr Wirt for the defendants.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven O.Clock.—

Tuesday Morning March 9th 1824 —

Present to adjournment the Court met this morning at the Capitol —

Present —

The Honorable John Marshall chief Justice —
Bushrod Washington
William Johnson

The Honble. Thomas Todd
Gabriel Duvall
Joseph Story
Smith Thompson

Proclamation being made the Court is opened —

Elisha Riggs
vs.
52. John Tayloe

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by Counsel on consideration whereof this Court is of opinion that the said Circuit Court erred in refusing to direct the evidence of the terms of the written agreement between the parties as in the Bill of Exceptions stated to go to the Jury. It is therefore adjudged and decreed that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and it is further ordered that said cause be remanded to the Circuit Court with instructions to proceed in conformity to law —

Tuesday March 9th 1824. Cont'd

John Lee Esqr of Georges (Walker
13. vs
Jno W. Timmons

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Great Timmsfees, and was argued by counsel on consideration whereof. This court is of opinion that the said Circuit Court erred in stating to the Jury that Records to Tuffpenyton under the Judgments of Tuffpenyton obtained against Walker was sufficient to vest the title of Walker in Tuffpenyton, and that the deeds offered to prove of record as color of appearance of title as came clear with seven by the person claiming under the grant to Walker ought to protect the patentee years from recovery and continued possession, under the Statute of limitations It is therefore adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled. —
And it is further ordered that said cause be remanded to said Circuit Court with directions to award a venire facias de novo. —

Thomas W. Smith Complainant of Tuesday Chests of Tea. —
vs
The United States

This cause was further argued by Mr Blake for the defendants and by Mr Chilton for the Complainant. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'Clock. —

Wednesday morning March 10th 1824

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honourable John Marshall chief Justice
Bushrod Washington
William Johnson
The Honble: Thomas Todd — associate
Gabriel Duvall — Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened —

Stewart Mallam. John
Rankin & Allen Gallop
Thomas Ferrand

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by counsel, on consideration whereof this Court is of opinion that there is error in the Judgment of the said District Court in overruling the demurrer of the Plaintiffs in the plea of the defendant and in giving Judgment for the defendant. Wherefore it is considered by this Court that the said Judgment be reversed and annulled, and it is hereby reversed and annulled accordingly, and the said cause is remanded to the said District Court with liberty to the parties to amend their pleadings and that further proceedings may be had therein according to law —

Wednesday March 10th 1824 - Court

Thomas Ransdell
vs
The Schooner Penthelus and Cargo —

On Motion of the Plaintiff and by Leave of the Court It is ordered, that the appeal in this cause be and the same is hereby dismissed at the costs of the appellant —

Ralph Osborn & others
vs
The Bank of the U. States
and
The Bank of the U. States
vs
The Planters Bank of the State of Georgia —

These causes were argued by Mr Brown for Osborn and others: and by Mr Sergeant for the Bank of the United States —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock —

Thursday Morning March 11th 1802

Pursuant to adjournment the Court met this Morning at the Coffee House.

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Thomas Todd Associate
Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened —

On Motion first made to the Court, It is ordered that Samuel Jenkins Esquire be admitted to practice as an attorney and Counsellor of this Court —

John Mason
vs
John Muncaster surviving obligee &c. John Muncaster & Edmund See former & present church wardens &c. of Georgetown, Thomas Swann, Richard M Scott, James H Foxall, James Hunt & Lemuel Peaman P. Thompson Charles Wagel, Thomas Simmons Wolfe & Herbert Threlkeld

This cause comes on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Alexandria and was argued by Counsel on Consideration whereof It is Decreed and adjudged that the Decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs —

Thursday March 11th 1834. Cont.d

Joseph Cabell vs Thos
&
The Bank of the United States
and
The Bank of the U. States
&
Thos Planters Bank of Georgia

Prior terms were argued by Mr Leigh for Cabell vs Bk and by Mr Hanson for the Planters Bank of Georgia and by Mr Webster for the Bank of the United States.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Friday Morning March 12th 1824.

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
The Hon'ble Bushrod Washington
William Johnson
Thomas Todd
Gabriel Duvall
Joseph Story
Smith Thompson
} assistant Justices

Proclamation being made the Court is opened. —

On motion Court made to the Court it is ordered that Mr Halstead Lee Esquire be admitted to practice as an Attorney and Counsellor of this Court. —

108. Wm E Peyton
&c
Henry B Robertson
use of French Ringgold

On motion of the Defendant by his Counsel, It is ordered that the writ of Error in the record &c and the same is hereby dismissed with affirming that the Supreme Court has Jurisdiction in said cause. —

132 James L McKenna &c
Robert L Robertson
&c
Thomas Fisher admr
of Thomas Fitzhugh dec'd

On Motion of the Defendant by his Counsel It is ordered that the writ of Error in this cause and the same is hereby dismissed with affirming that the Supreme Court has Jurisdiction in said cause. —

The Bank of the U States
&c
The Planters Bank of Georgia

This cause came further on argued by Mr Hemphill for the defendants and by Mr Ogden for the plaintiffs. —

Ex parte Robert Leonard
& Gilbert Brownage

Mr Emmet on behalf of the Petitioner suggesting of the Southern district of Georgia praying the Court to issue a writ of mandamus &c upon reading the suggestion &c —

Proclamations being made the Court is adjourned until

Saturday Morning March 13th 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable John Marshall, chief Justice
Bushrod Washington
Otelliah Johnson
The Hon.ble: Thomas Todd | associate
Gabriel Duvall | Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.—

George B. Magruder admr of George Magruder dec.d
vs.
The President & Directors of the Bank of Washington

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Columbia in the County of Washington and was argued by Counsel on consideration whereof. It is adjudged and ordered, that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

57.

Ephraim Charles Wood & Gillett Brundage

On rule to shew cause &c Mr Haines produced an answer to Mr Emmet & Mr Emmet replied.—

Archibald Clarke
vs.
Jean Jacques Edon.

This cause was argued by the attorney General for the Plaintiff.—

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock.—

Monday Morning March 15th 1824. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Judge Marshall Chief Justice.

The Hon. Bushrod Washington
William Johnson
Thomas Todd
Gabriel Duvall
Joseph Story
Smith Thompson
} Associate Justices

Proclamation being made the Court is opened —

Thomas R. Smith Claimant of 300 shares of Stock —
vs.
The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Massachusetts and the further proof in the cause and was argued by Counsel on consideration whereof It is adjudged and ordered that the decree of the said Circuit Court dismissing the libel of the claimant for the three hundred shares of Stock in the Bridge during mentioned to the United States be and the same is hereby reversed and annulled — And this Court proceeding to such decree as the said Circuit Court should have passed It is further adjudged and ordered and decreed that the libel of the United States be and the same is hereby dismissed and the said three hundred shares of Stock be restored to the claimant — But the Court is of opinion that there was a reasonable cause of seizure and direct that it be entered accordingly that there was a reasonable cause of seizure —

Monday March 15th 1824 Court.

The United States
28. vs
The Schooner St Jago de Cuba &c

This cause coming on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and Mississippi in Admiralty, on consideration whereof. It is ordered decreed and adjudged that so much of the decree of the said District Court as affirms the decree of the said District Court, ascertaining so much of the Libel, as relates to the seizing of said vessel and also so much thereof as sustains the libel and claim of Peter Bafo, Joseph Lafargue, Archibald Clarke, James Ramsay, and Richard Relf, be and the same is hereby reversed and annulled. And it is further decreed and adjudged that the proceeds of the sale of the said Schooner St Jago de Cuba, and so much of the proceeds of the sale of the said Schooner as is embraced in the appeal to this Court be and the same are hereby condemned as forfeited to the United States, and that the proceeds of said Schooner St Jago de Cuba and Cargo be distributed according to law for which purpose the cause is remanded to said District Court with instructions to make such distribution. —

Archibald Clarke
vs
Jean Jacques Edon

This cause was further argued by the Attorney General for the plaintiff & by Mr Livingston and Mr Harper for the defendant. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. —

Tuesday Morning March 16th 1824

Pursuant to adjournment the Court met this Morning at the Capitol

Present

The Honorable John	Marshall	Chief Justice	
	Bushrod	Washington	
	Thomas	Todd	
The Honble	Gabriel	Duvall	Associate Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court was opened

On Motion first made to the Court It is ordered that James Buchanan Esquire be admitted to practice as an attorney and counsellor of this Court

George Mr Ogam
&c
vs
Lewis Farmers

Pitts Testamentary filed and appearances of Edwards Farmers & Frances B. Ogam Executors of George Mr. Ogam entered

Thomas Tennant
&c
vs
The Governor of the Ship Lange of the ship Manila allegiance

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Pennsylvania and was argued by counsel. On consideration whereof It is decreed and ordered that the decree of the said Circuit Court in this cause be affirmed with costs. Thomas Tennant has since the decree in this cause filed a petition

Tuesday March 16th 1824 - Cont.d

Nancy Hughes Robert Hughes Elizabeth Hughes James Hughes & Martha Hughes heirs of James Hughes deceased and Samuel Pollerson and Gabriel Tandy

vs

John Edmonds and Martha Edmonds his wife.

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of Kentucky and was argued by Counsel on consideration whereof, It is decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs.

Archibald Clarke

vs

Isaac Jaques Edson

This cause was further argued by Mr Morton for the appellant ...

Ex parte Levi P Burr -

Mr Emmet moved to shew cause why a Mandamus should not issue to the Judges of the Circuit Court for the District of Columbia or for an alternative mandamus to said Judges to restore said Levi P Burr to the office of an attorney of said Circuit Court ...

(Proclamation being made the Court is adjourned until tomorrow morning 11 o'clock ...

Wednesday Morning March 17th 1824 -

Pursuant to adjournment the Court met this morning at the Capitol

Present:

The Honorable John Marshall Chief Justice

The Hon'ble: Bushrod Washington, William Johnson, Thomas Todd, Gabriel Duvall, Joseph Story, Smith Thompson — associate Justices

Special motions being made the Court is adjourned

Parke Walton
vs
The United States

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Mississippi, and was argued by Counsel on consideration whereof It is adjudged and ordered that the Judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Archibald Clarke
vs
Isaac Rogers Exrs

This cause was further argued by the Attorney Generals for the Plaintiff and by Mr Winston for the defendant -

Thompson v. Polk
vs
Smith's Exrs

This cause was argued by Mr Key for the Plaintiff -

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock -

514

Thursday Morning March 18th 1824.

The Court is adjourned the Court met this morning
In the Capitol.

Present:

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	Gabriel	Duvall	
The Honble.	Thomas	Todd	Associate
	Joseph	Story	Justices.
	Smith	Thompson	
	Willis	Washington	

Proclamation being made the Court is opened.

Hagan vs Lamb & Fairchild & Ryan	This cause was further argued by Mr Monroe for the defendants.

Proclamation being made the Court is adjourned until
tomorrow morning at eleven oclock.

Friday Morning March 19th 1824

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall chief Justice
The Honble. Bushrod Washington, William Johnson, Thomas Todd, Gabriel Duvall, Joseph Story, Smith Thompson assistant Justices

Proclamation being made the Court is opened.

The Docket was first called, & the Court did not sit. Mr. Read & Mr. Bayard Solicitor Generals of the United States, & Messrs. Hopkinson & Chauncey Attorneys & Counsellors of this Court.

Ralph Osborn John F. Hanson, Thomas Mc. Conry & Samuel Pullman Esqrs.

The Court adjourned to the Capitol, for want of a Quorum.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Ohio and was argued by counsel on consideration whereof this Court is of opinion that there is no error in so much of the decree of the Circuit Court as dissolves the injunction of the plaintiffs bill as to the sum of ninety eight thousand dollars which was taken out of the Bank of the United States by an alias writ of fieri facias issued on the judgment obtained in the Court of Common Pleas by the defendants Samuel Pullman & William Creighton jr. against Wilson Allen & others & that the Circuit Court erred in dissolving the said injunction as to the residue of the money levied by the said writ of fieri facias & that the said Circuit Court ought to have perpetuated the injunction in so much of the said decree as dissolves the same as to the residue of the money levied by the said writ of fieri facias & that the defendants

(Costs)

Friday March 19th 1824. Court

Ralph Osborn and John F. Hooper filed their Bill of Complaint against Samuel Tillman and Peter Van Ness Executors of the last will and testament of Peter Van Ness deceased and others.

Ordered that the Bill be taken pro confesso against the defendants Peter Van Ness Executor of the last will and testament of Peter Van Ness deceased and Samuel Tillman and that the same be referred to the Register to take the proofs and report the same to the next Court.

Ordered that the Bill be taken pro confesso against the defendant Samuel Tillman and that the same be referred to the Register to take the proofs and report the same to the next Court.

Ordered that the Bill be taken pro confesso against the defendants Peter Van Ness Executor of the last will and testament of Peter Van Ness deceased and others and that the same be referred to the Register to take the proofs and report the same to the next Court.

Ordered that the Bill be taken pro confesso against the defendant Samuel Tillman and that the same be referred to the Register to take the proofs and report the same to the next Court.

Saturday Morning March 20th 1824.

Pursuant to adjournment the Court met the Justices of the Supreme Court in the Capitol.

Present

The Honorable John	Savage	Chief Justice	
	Buel	Yates	
	Williams	Johnson	
The Honble.	Thomas	Todd	Associate Justices
	Platt	Sutherland	
	Joseph	Henry	
	Enoch	Thompson	

Proclamation being made the Court is opened

The United States
and
William P. Van Ness Esq
District Judge of the
Southern District of New York

In the Matter of Columbus Wood and Gilbert Brundage.

Upon the hearing of this cause upon the rule to shew cause heretofore entered by the Court and on consideration of the arguments of counsel for and against making the same rule absolute. It is ordered and adjudged by the Court that the same rule be and hereby is made absolute. And it is further ordered by the Court that a peremptory mandamus issue to the District Judge of the Southern District of New York commanding him to enter upon record the proceedings in this cause anterior to the granting by him of the rule to shew cause why process should not issue to attach the defendant on the proceedings mentioned and upon which the said rule was founded; that the said Judge be required upon the return of a writ of mandamus to the said rule to shew cause why the said defendant should not be attached with costs of suit; that upon the return of such process as aforesaid, the said Judge do proceed to try the cause upon the pleadings filed by the parties and the issue joined between them; and that if the issue be an issue of fact the trial thereof be by a jury, if an issue of law then by the Court as in other cases.

Saturday March 20th 1824. Cont.

The United States vs. John Kirkpatrick & Robert Rainey.	This cause was argued by the Attorney General for the respondents & by Mr Alexander & Mr Taylor for the defendants.

Proclamation being made the Court is adjourned until Monday morning next at ten o'clock.

Monday Morning March 22nd 1824.. 8-17. 17-

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble:	Thomas	Todd	associate
	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened...

The President Directors & Company of the Bank of the United States
vs
The Planters Bank of the State of Georgia.

113.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Georgia and on the questions on the which cause was certified the Judges of said Circuit Court were divided in opinion were argued by Counsel on consideration whereof. It is the opinion of the Court

1. That the averments in the declaration in said cause are sufficient in law to give the said Circuit Court Jurisdiction in said cause...

2. That on the pleadings in the cause the Pltff is entitled to Judgment...

All which is ordered to be certified to the said Circuit Court...

Monday March 22nd 1824. Court

Archibald Clark
102 vs
Jesse Burgess Exor
and
Jesse Burgess Exor
103. vs
Archibald Clark

These causes coming on to be heard on the Transcripts of the Records of the Circuit Court of the United States for the District of Georgia and were argued by counsel on consideration whereof. It is ordered and decreed that the decree of the Circuit Court awarding the sum of eight thousand six hundred and ninety five dollars and thirty seven cents damages to the said Archibald Clark with his costs of suit by him in part expended be set for the sum of six hundred and two dollars and thirty one cents and be affirmed in all respects and that the Defendant do recover of the Respondent the said amount of damages decreed in the Circuit Court amounting the said sum of six hundred and two dollars and thirty one cents against the sum of eight thousand and ninety three dollars and six cents together with interest at the rate of six per centum per annum on the same sum from the date of the decree in the Circuit Court to the term of carrying this decree into effect in the Circuit Court pursuant to the Mandate of this Court.

Decree in Circuit Court ---------- $8695.37
Discount 10 per cent on sales of Cargo $3312.31
allowance for Washington Factory 2710. 602.31
$8093.06

The United States
vs
John Kirkpatrick &
Robert Haring

This cause was further argued by Mr Foster for the defendants and the Attorney General for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at twelve o'clock.

Tuesday Morning March 23d 1824.—

Present to the adjournment the Court [illegible] the Presence of the Judges

Present—

The Honorable John Marshall Chief Justice
Bushrod Washington
The Honorable: Thomas Todd } Associate
Gabriel Duvall Justices.
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.—

The United States
vs
23 John Kirkpatrick &
Robert Ramsey

This cause came on to be heard on the Transcript of the Record of the District Court for the District of Pennsylvania and was argued by Counsel on consideration whereof. It is ordered and adjudged by this Court that there is error in that part of the charge of the District Court of the Western District of Pennsylvania, which instructs the Jury to find a verdict for the defendants if they are satisfied that the agents of the Government have been guilty of Laches this Court being of opinion that such Laches and no Account of Law a ground a discharge of the Recognizance taken by the Court in this Cause. And it is further ordered that the Cause be remanded to the said District Court with directions to award a venire facias de novo and to permit the pleadings to be amended and complete their pleadings.—

The United States
vs
150. Isaac Perez

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of New York and was argued by Counsel on consideration whereof It is ordered by this Court that the Certificate to the Circuit Court for the District of New

Tuesday March 23d 1824 Cont'd

York that under the circumstances stated in the Record the Steamer Jno F Perry is not entitled to be discharged from custody, and may again be put to trial upon the indictment found against him and pending in said Court. —

Joseph Kerr
vs
33. Ann Moon John A Moon Thomas Mullaly & Fanny P his wife Nancy D Moon, James W Eblen and Kitty A his wife Sally Moon & Susanna B. Moon the heirs & devisees of Archibald Moon deceased. —

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Ohio and was argued by counsel on consideration whereof, this Court is of opinion that the said Circuit Court erred in decreeing an assignment of all the warrants, entries and surveys under the warrants to the complainants, It is therefore ordered & decreed that the decree of the said Circuit Court in this case be and the same is hereby reversed and annulled. And it is further ordered that this cause be remanded to the said Circuit Court for further proceedings to be had therein according to law. —

James Sutbright Lessee of Philip Sedwick
vs
12. John G Wright Lessee of Thomas Thompson

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Ohio and was argued by counsel, on consideration whereof, It is adjudged and ordered that the Judgment of the said Circuit Court giving Judgment for the defendant on the Statement of facts be and the same is hereby reversed and annulled. and it is further adjudged and ordered, that the said cause be remanded to the said Circuit Court with directions to enter Judgment for the plaintiff on the Statement of facts. —

Tuesday March 23rd 1824 – Contd

Ex parte Levi F Burr – It is ordered that the motion for a Mandamus in this case to the Judges of the Circuit Court for the District of Columbia be and the same is hereby overruled –

Charles F Catlett
vs
Alexander O Bradley

It is ordered by the Court on motion of Mr Key of Counsel for the defendant in Error that this cause do stand dismissed, unless the plaintiff in Error shall within thirty days from the rising of this Court give a bond with good and sufficient security in due form of law to prosecute his writ with effect and to answer all damages and costs if he fail to make his plea good. The amount of such security to be sufficient to secure the whole Judgment in case the same shall be affirmed and he not otherwise discharged – Such security to be taken and approved by any Judge or Justice who is authorized to allow a writ of Error and citation in said Judgment.

Charles Lyman & others
vs
William Marlow & Isabella Thompson

It is ordered by the Court on motion of Mr Key of Counsel for the defendant in Error that the cause as to him stand dismissed unless the plaintiff in Error shall within thirty days from the rising of this Court give a bond with good & sufficient security in due form of law to prosecute his writ with effect and to answer all damages and costs if he fail to make his plea good the amount of such security to be sufficient to secure the whole Judgment in case the same shall be affirmed and he not otherwise discharged – Such security to be taken and approved by any Judge or Justice who is authorized to allow a writ of Error and citation in said Judgment.

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Tuesday March 23rd 1824. Court

Charles Glover
178. vs
Isaac Bennett &
Isaac S Longstreth

It is ordered by the Court on motion of Mr Ray of Counsel for the defendants in Error that this cause do stand dismissed, unless the plaintiff in Error shall within thirty days from the rising of this Court give a bond with good and sufficient security in due form of law to prosecute his writ with effect and to answer all damages and costs, if he fail to make his plea good. the amount of such security to be sufficient to secure the whole Judgment in case the same shall be affirmed and not otherwise discharged. Such security to be taken and approved by any Judge or Justice, who is authorized to allow a writ of error and citation in said Judgment.

(Certificate of security filed and writ of error issued 25th March 1824)

George (Marine Policy)
16. vs
The Mechanics Bank of Alexandria

It is ordered by the Court on motion of Mr Swann of Counsel for the defendants in Error that this cause do stand dismissed, unless the plaintiff in Error shall within thirty days from the rising of this Court give a bond with good and sufficient security in due form of law to prosecute his writ with effect and to answer all damages and costs, if he fail to make his plea good. the amount of such security to be sufficient to secure the whole Judgment in case the same shall be affirmed and not otherwise discharged. Such security to be taken and approved by any Judge or Justice who is authorized to allow a writ of error and citation in said Judgment.

(Certificate of security filed and writ of error issued 25th March 1824)

Tuesday March 23rd 1824. Court

The Columbian Insurance Company of Alexandria
154.
Charles L Catlett

It is ordered by the Court on Motion of Mr Simms of Counsel for the defendant in this that the Order to Stand Confirmed in this Cause unless the plaintiff in Error shall within sixty days from the rendering of this Court give a Bond with good and sufficient Security in due form of Law to prosecute his writ with effect and to answer all damages and costs if he fail to make his plea good the amount of such Security to be sufficient to secure the whole Judgment in error the Bond shall be offered and put in obtained or rejected Such Security to be taken and approved by any Judge or Justice who is authorized to allow a writ of Error and Supersedeas in said Judgment

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock

Wednesday Morning March 24th 1824.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
Thomas Todd
The Honble Gabriel Duvall } Associate
Joseph Story } Justices.
Smith Thompson

Proclamation being made the Court is opened.

Silas Bullard
vs
Samuel Bell.

This cause coming on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of New Hampshire and was argued by Counsel on consideration whereof. It is ordered and adjudged that the said cause be and the same is hereby dismissed.—

Bolton Jackson
vs
Dennis Fitzhugh & others

The death of the defendant Dennis Fitzhugh having been suggested. It is ordered that this suit be and the same is hereby abated.—

Henry Fayall
vs
Samuel Turner Jr.

The death of the plaintiff and defendant in this cause having been suggested It is ordered that the suit be and the same is hereby abated.—

Wednesday March 21st 1832. Cont.

United States vs 63. John P. Hagle & William Hagle admrs of Henry Hagle dec'd	This cause came on to be heard on the transcript of the Record of the Circuit Court of the United States for the District of Louisiana in the County of Washington and was argued by Counsel on consideration whereof it is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum, including interest on the amount of the Judgment of the said Circuit Court.

The entries made in the two following cases for allowment of Accounts and the three following Rules of Court viz 32. 33 & 34 are entered in the last case preceding them respectively not being known.—

Oliver Williams vs 98. Ezekiel Norris	Certiorari awarded for plaintiff

George W. Campbell vs 99. Ezekiel Norris	Certiorari awarded for plaintiff

Wednesday March 21st 1824 Contd

Allotment of Circuits

There having been one associate Justice of the Supreme Court appointed since its last Session It is ordered that the following allotment be made of the Chief Justice and the associate Justices of the said Supreme Court among the several Circuits agreeable to the act of Congress in such case made and provided and that such allotment be entered on Record Viz:—

For the first Circuit — The Honble Gabriel Duvall
For the Second Circuit — The Honble Smith Thompson
For the third Circuit — The Honble Bushrod Washington
For the fourth Circuit — The Honble Gabriel Duvall
For the fifth Circuit — The Honble John Marshall Chief Justice
For the Sixth Circuit — The Honble William Johnson
For the Seventh Circuit — The Honble Thomas Todd

Rule No 32.—

No Exclusions for examination of the record shall be hereafter amended in any cause unless a motion therefor shall be made in writing and the facts on which the same is founded shall if not admitted by the other party be verified by affidavit and all motions for such exclusions shall be made at the first Terms of the entry of the cause thereon. The same shall not be granted unless upon special cause shewn to the Court accounting satisfactorily for the delay:—

Wednesday March 24th 1824. Court

Rule No: 33 –

In all cases of equity and admiralty jurisdiction heard in this court no objections shall hereafter be allowed to be taken to the admissibility of any depositions and grants or other exhibits formally proved as evidence unless objections was taken thereto in the court below and entered of Record; but the same shall otherwise be deemed to have been admitted by consent. –

Rule No: 34. –

On Saturday of each week during the sitting of the court motions in cases not requiring by the rules of Court to be put upon the docket shall be entitled to precedence as if such motions shall be made before the Court should have entered upon the hearing of a cause upon the docket –

Proclamation being made the Court is adjourned to the time and place appointed by Law. – !

VOLUME

D

At a Session of the Supreme Court of the United States begun and held at the Capitol of the United States in the City of Washington being the Seat of the National Government of the United States on the Tenth Monday of August being the [blank] day of the same Month and in the Year of our Lord One Thousand eight hundred and ninety four and of the Independence of the United States the Forty Ninth Agreeably to the Statute in such case made and provided. The Honorable

one of the Associate Justices of the Supreme Court of the said Supreme Court and resident of the Fourth Circuit in the State of Maryland was present and the Clerk of the said Supreme Court attending.

It is ordered by the said Judge that the following entries be made in the the following actions, Viz:

William Campbell	Vs.	Continued from last Term.
1. Hall Farmers Bank		Continued
Sperry and Woodward	Vs.	Continued from last Term.
2. Thomas Irene H' Graham		Continued.
George M Ogden Evans	Vs.	Continued from last Term.
3. James Sanders		Continued.

August Term 1824 -

4	Timo Elmendorf vs Jno Kubbard Taylor & others	Continued from last Term Continued. --
5	William L. McCormick admr of Alex. McCormick vs Benjamin F. French & Charles Ingraham Exrs of Lewis Bates dec'd	Continued from last Term Continued --
6	James Taylors Lessee vs Thomas L. Owings & others	Continued from last Term Continued --
7	William McCormick & others vs Samuel Finley & others	Continued from last Term Continued --
8	John Chase & others vs J. J. Marques Consul Gen.l of Portugal --	Continued from last Term Continued
9	John McDowell vs Solomon L. Peyton & others	Continued from last Term Continued --

	Thomas Barnes's heirs		Continued from last Term
10.	Henry	Banks	Continued ...
	Henry	Banks	Continued from last Term
11.	Thomas	Barnes's heirs	Continued —
12.	The United States claimb of African Negroes &c Charles Mulvey exec. &c. of Spain		Continued from last Term Continued —
13.	The United States The Claimants of African Negroes part of the Cargo of the Antelope a Prize		Continued from last Ti Continued
14.	Clayton & Letcher Ferdinand & Clare		Continued from last Term Continued
15.	Isaac & Samuel & James Lawler —		Continued from last Term.
	Richard H. Harrison &		Continued —

August Term 1824 —

	The	R Hunt &	Continued from last Term
	Same	Smith	
16.		vs	
		do	
	Thomas	Benedict &	Continued
	Charles	Richardson	
	Thomas	Janney	Continued from last Term
17.		vs	
	The Columbian Insurance		
	Company of Alexandria		Continued.
	James	Burke Claimt	Continued from last Term
	of Sundry	goods &c	
18.		vs	
		do	
	Joaquim	Zamorano	Continued —
	Joaquim	Zamorano	Continued from last Term
19.		vs	
	James	Burke Claimt	
	of Sundry	goods &c	Continued —
	James	Forbes &	
	Same	Burke	Continued from last Term
20.		vs	
	The proceeds of Sundry		
	Goods &c and		Continued —
	Joaquim	Zamorano	

	Philemon	Thomas	Continued from last Term
21	John	Hennessy's heirs	Continued
	Conrad	Piles	Continued from last Term
22	Thomas	Bouldin	Continued
	Valentine	Lefevre	
	Valentine	H Lindsay Lefevre	Continued from last Term
23	Charles	Mayer &	
	Lewis	Brawley	Continued
	Joseph	Day Valleau	Continued from last Term
24	Claudius	Chisum	Continued
	Samuel	Howard	Continued from last Term
25	Archibald	Wofford	Continued
	Charles J	Coalter	Continued from last Term
26	Alexander C	Brodie	Continued
	Thomas	Merighi	Continued from last Term
27	John	Page's heirs	Continued

August Term 1824

	Thomas	Thields & others	Continued from last Term
28		do	
	The	United States	Continued
	The	Bank of the U. States	Continued from last Term
29		do	
	The	Bank of the State of Georgia	Continued
	Allen	Armstrong	Continued from last Term
30		do	
	Hugh	H. Tolen	Continued
	The	United States	Continued from last Term
31		do	
	Thomas	Morris	Continued
	John	Smith F.	Continued from last Term
32		do	
	Mitchell	& Winston	Continued
	The	heirs of Brantin	Continued from last Term
33		do	
	John	McGraw	Continued
	Amos	Edwards & Spence	Continued from last Term
34		do	
	Tilly	Gurney & others	Continued

	The Almeda Mining & Milling Co. vs. The Officers &c. of the Falconer Examiners.	Continued from last Term
35.	" vs " The Brig Palmyra	Continued
	Jonathan Abrams vs. Thos. [illegible]	Continued from last Term
36.	" vs " Joseph Almeida & the Goods &c. of said Almeida	Continued.
	Geo. [illegible] vs. New Zealand	Continued from last Term
37.	" vs " John R. Livingston	Continued
	The Town Council of Plattsburg vs. Town Council of [illegible]	Continued from last Term
38.	" vs " The United States vs. The Officers &c. of the Cyane	Continued
	Regina vs. Volume	Continued from last Term
39.	" vs " Thomas Emmett, use of The Bank of Washington	Continued
	Olin vs. Williams	Continued from last Term
40.	" vs " Enoch Morgan	Continued

August Term 1824.

	George W Campbell	Continued from last Term
41	vs	
	Ezekiel Norris	Continued
	Samuel Keplinger	Continued from last Term
42		
	Michael Mc Young	Continued
	Samuel Keeplinger	Continued from last Term
43	vs	
	Michael Mc Young	Continued
	Joaquim Jose Marques	
	Consul Genl of Portugal	Continued from last Term
44	vs	
	Sundry Quantities of gold & Silver Inclosed &c	Continued
	John & Daniels Claimt	
	Simeon Perkins	Continued from last Term
45	vs	
	Richard Mc. Hunt Exor of Williams Hunt	Continued
	The Corporation of Washington vs use of McGee & Collins	Continued from last Term
46	vs	
	Moses Young	Continued —

August Term 1824.

	William	Brent Nathan	Continued from last Term
		vs	
27	Gideon	Davis	Continued
	The Ch. J. [illegible]		
	[illegible]		Continued from last Term
	[illegible]		
		vs	
28	The	United States	Continued
	The	Alligator	
	60 Jars of Brandy		Continued from last Term
	[illegible]		
		vs	
29	The	United States	Continued
	The Bank of the U. States		Continued from last Term
		vs	
30	Daniel	Kalekind &c	Continued
	The Bank of the U. States		Continued from last Term
		vs	
31	Thomas	Janney	Continued
	James	Lee Wolf	Continued from last Term
		vs	
32	James	Johnson & Wife	Continued

August Term 1824.

	Robert Hamilton vs	Continued from last Term
53.	John F. Johnson & others owners of Steam boat Jefferson	Continued
	The President & Directors of the Merchants Insurance Company vs	Continued from last Term
54.	Willard Peele & others	Continued
	James Jackson ex dem Enoch St John vs	Continued from last Term
55.	Robert Cheeseman	Continued
	Williams Ats vs	Continued from last Term
56	Lynde Walter	Continued
	John C. Gillespie vs	Continued from last Term
57	John Fowler & others	Continued
	Thelemon Thomas vs	Continued from last Term
58.	Benjamin Johnson & others	Continued

	The State of Tenn. use of Nicholas Gee vs	Hall	Continued from last Term
59	Richard H. Rolston	Hall	Continued
	William G. Hodges	Hall	Continued from last Term
60.	Daniel Burfurd	Hall	Continued
	Anthony T. Robinson vs	Hall	Continued from last Term
61.	George Rencher	Hall	Continued
	Granville Hamberry vs	Hall	Continued from last Term
62	James Black vs	Hall	Continued
	Stephen Harding vs	Hall	Continued from last Term
63	Kennedy B. Wheeler	Hall	Continued
	Asa Kendrey vs	Hall	Continued from last Term
64.	Stephen Harding vs	Hall	Continued
	Cornelius P Nicholas vs	Hall	Continued from last Term
65.	Wm Robertson vs Wm Lemon	Hall	Continued

August Term 1824.

	John Hawkins & William May	Continued from last Term
66.	vs	
	Joshua Barney's Exrs	Continued.
	The Bank of the U. States	Continued from last Term
67.	vs	
	Joseph Smith	Continued
	Allan M'Lane Claimant of a moiety of the Cargo of Ship "Good Friends"	Continued from last Term
68.	vs	Continued
	The United States	
	Robert C. Thain	Continued from last Term
69.	vs	
	Ephraim Robins	Continued
	Martin Walker & wife	Continued from last Term
70.	vs	
	Cyrus Griffin's heirs	Continued
	Jas. ex dem William Pattison	Continued from last Term
71.	vs	
	Elisha Winn & others	Continued

	Robert Rankin	et al	Continued from last Term
72.	John P Sabaugh		
	Robert	Tevis	Continued
73.	James	Finley	Continued from last Term
	The Banks of the U States		Continued
	William	Graham	Continued from last Term
74.	The Bank of the U. States		Continued
	Daniel	Shelburne Evans	Continued from last Term
75.	Thomas	Gray	Continued
	Henry	Miller's heirs	Continued from last Term
76.	John & Jacob	M Guire	Continued
	Wm Fowler	Jennings Executors &c	Continued from last Term
77.	The Common Council of Alex		Continued
	Joseph	Brooks	Continued from last Term
78.	William	Marbury	Continued

August Term 1824 —

	John Gaszler vs	Cont. ed from last Term
79.	The Union Bank of George Town	Continued
	The United States vs	Continued from last Term
80.	Nicholas B. Vanzandt	Continued
	Charles W. Robertson vs	Continued from last Term
81.	Benedict Lehen & Johns	Continued
	Henry Carel admr of Louisa Browning vs	Continued from last Term.
82.	Charles Carroll of Carr	Continued
	John F. Mercer and Polly Effinger vs	Continued from last Term
83.	James Slaughter	Continued
	The Exrs of Thomas F. Hunter vs	Continued from last Term
84.	Nicholas Longworth	Continued

August Term 1824.

	Nelson	Ellery	Continued from last Term
85.	The Bank of the U. States		Continued
	Edward	F Hall	Continued from last Term
86	Lewis	Rosenmeyer	
	administrator &c		Continued
	Elisha	D Barrow & others	Continued from last Term
87	Oliver	Williams	Continued
	The United	States	Continued from last Term
88	John	Duffom & others	Continued
	Micajah	T Williams	Continued from last Term
89.	The Bank of the U. States		Continued
	John	Colby	Continued from last Term
90.	Abraham	Smith	Continued
	James & Henry	W McIlvaine	Continued from last Term
91	Edmund	Pendleton & others	Continued

August Term 1824.

92	Robert	Brockett Jr	Continued from last Term
	Daniel	McLean Fathers	Continued
93	Joseph	Smith Gibson	Continued from last Term
	Adams.	Herbert Adm.	Continued
94	Richard	M. Veall Exr of Thomas Tracey	Continued from last Term
	Eliza	B. Rankin	Continued
95	Richard B Lee	Alexander & M Alexander	Continued from last Term
	The	Bank of Potomac	Continued
96	John George	Devlin Adm of Beard	Continued from last Term
	Charles	Pittles Adm	Continued
97	Richard	M. Veatch	Continued from last Term
	Samuel	Threem Jr	Continued

	The Columbian Insurance Company of Alexandria	Continued from last Term
98	Levin Prentiss use &c.	Continued
	The Columbian Insurance Company of Alexandria	Continued from last Term
99.	Charles D. Cabell	Continued
	The Bank of the U. States use &c.	Continued from last Term
100	Julius B. Lamaridge & others	Continued
	Sarah F. Cleveland use &c.	Continued from last Term
101.	Alexander Pope & William B. Patton	Continued
	Michael F. Martin (M. S.) use &c.	Continued from last Term
102	James Rathbun	Continued.
	Michael F. Martin (M. S.) use &c.	Continued from last Term
103.	Jacob & Moll.	Continued

August Term 1824.

104	George W. F. Marr vs Thomas P Devereux	Continued from last Term Continued
105	Isb Noyes Fifer vs Richard Sallmarsh	Continued from last Term Continued
106	Elisha R Potter vs Hannah Gardner & others	Continued from last Term Continued
107	John Lobree & others vs Elements of gold & silver J J Nasgues Consul General of Portugal	Continued from last Term Continued
108	George Minor vs Thos The Mechanics Bank of Alexandria	Continued from last Term Continued
109	Christophe St Amand vs John Brandegee	Continued from last Term Continued

August Term 1894 –

	Cheesphore F. Armand		Continued from last Te
110.	vs		
	John	Brandegee	Continued
	William	Thornton	Continued from last Ter
111.	vs		
	William	Wynn	Continued
	John	Taylor	Continued from last Ter
112	vs		
	The	Central Bank	Continued
	Twenty African Slaves.		
	The Governor of Georgia		Continued from last T
	Claimants		
113	vs		Continued
	Juan	Madrazo	
	The Governor of Georgia		Continued from last Ter
114	vs		
	Seventy African Slaves-		Continued
	Juan	Madrazo Claimant	
	Roseneko	Armstrong	Continued from last Term
115	vs		
	Benjamin F. Dean admr of		
	The Ship Roseneko Voters		Continued

August Term 1821.

Alexander McConnell.	Continued from last Term
116 ∞	
The Trustees of the Town of Lexington	Continued
Gilbert Locke's Admr Lee Bonis non	Continued from last Term
117 ∞	
The Bank of Columbia	Continued.
John Davidson and Joseph Forrest ofs. ba of John W. Piatt —	
118 ∞	Continued
William Taylor & use of the State Bank at Camden.	

Proclamation being made the Court is adjourned to the time and place appointed by Law —

February Term 1825.

At the Capital of the United States — the City of Washington and District of Columbia being the present Seat of the National Government of the United States on the first Monday of February being the seventh day of the same month, in the year of our Lord One thousand eight hundred and twenty five and of the Independence of the United States the forty ninth. The Supreme Court of the United States met agreeably to Law. —

Present

The Honorable John Marshall chief Justice
Bushrod Washington
The Honble: Gabriel Duvall } Associate
Joseph Story } Justices

On Motion first made to the Court It is ordered that F. B. Barrell Esquire be admitted to practice as an attorney and counsellor of this Court. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

 Tuesday Morning February 8th 1825

pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
The Honble	Gabriel Duvall	associate
	Smith Thompson	Justices

Proclamation being made the Court is opened —

On Motion first made to the Court It is ordered R B Taney Esquire be admitted to practice as an attorney and Counsellor of this Court —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock —

Wednesday February 9th 1805.

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable John Marshall chief Justice
Bushrod Washington
Alfred Moore assistant
The Honble. William Johnson Justices.
Levi Lincoln
Thos. Todd
H. Brockholst Livingston

Proclamation being made the Court is adjourned.

3. William McCormick and Robt. McCormick and Benjamin F. Pascault. and John Pascault Executors of Alexr. McCormick

The Plaintiffs — Defendants being solemnly called and not appearing. It is Ordered, that the Writ of Error in this cause be dismissed with Costs.

Henry Fowler
Thomas Fowler

The Writ of Error in this cause is dismissed with Costs.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Thursday February 10th 1825

Pursuant to adjournment the Court met this morning at the Coafield.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
The Hon'ble: William Johnson Associate
Gabriel Duvall " Justices
Joseph Story

Proclamation being made the Court is opened &c.

Charles L. Carroll
vs.
Alexander O Brodie

This cause was submitted to the Court by Mr Swann for the appellant and by Mr Key for the defendant on their respective printed Briefs.

The heirs of Brashears
vs.
John McGrew

This cause was argued by Mr Kelly for the appellants.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock.

Friday February 11th 1825–

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
The Honble William Johnson Associate
Gabriel Duvall &
Joseph Story Justices

Proclamation being made the Court is opened

Wm Mahon first made to the Court, It is ordered that John Temple Wm Thos H Brown John Brown Davis and Thos Nelson Esqrs be admitted to practice as attorneys and counsellors of this Court —

James Burke Claimant of Sundry goods &c
vs
Joaquin Zamorano

This cause was argued by Mr Hunt for the appellant.

Joaquin Zamorano
vs
Jamie Burke Claimant of Sundry goods &c

This cause was argued by Mr Hunt for the appellee. —

Friday February 11th 1825 Court

James Forbes and David Bunker vs The proceeds of sundry goods and Joaquim Zamorano.	This cause was argued by Mr Hunt for the appellants —
Joseph Day & others vs Obadiah Johnson	This cause was argued by Mr Bell for the appellants and by Mr Eaton for the Defendants —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock —

Saturday February 12th 1853

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice

The Honorable. | Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
} Associate Justices

Proclamation being made the Court is opened.

On Motion first made to the Court, It is ordered that B. (Mr.) Watkins Esquire be admitted to practice as an attorney and counsellor of this Court.

Thomas Wright
vs
John Page & Wife

This cause was argued by (Mr.) Grant for the Plaintiff & by (Mr.) Conrad & (Mr.) Hunter for the defendants

Proclamation being made the Court is adjourned until Monday morning next at eleven O'clock.

Monday February 14th 1825

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall chief Justice.
Bushrod Washington
The Hon'ble William Johnson } assocate
Gabriel Duvall } Justices
Joseph Story

Proclamations being made the Court is opened. —

On motion first made to the Court It is ordered that Paul Fearl Dana, David Lawrence Wilgenmus, Phillips and Seaborn Jones, Esqrs be admitted to practice as attorneys and counsellors of this Court —

Charles S. Catlett,
26 Feb
Alexander O. Bradley

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by Counsel On consideration whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed except so much as relates to the giving the defendant the sum of one per centum per annum above the usual rate of interest. The defendant agreeing to release the aforesaid sum of one per centum per annum —

Monday February 14th 1825 Cont.

Thomas Knight		This cause was further
	vs	argued in conclusion by
John Page's Devisees		Leigh for the plaintiff.

Philemon Thomas		This cause was argued by
	vs	Mr Talliaferro for the plaintiff
John Thomas's Exrs		and by Mr Bell for the
		defendants.

Proclamation being made Mr Leigh is absent
until tomorrow morning at eleven o'clock.

Tuesday February 15th 1825.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice

The Hon'ble: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story — associate Justices

Proclamation being made the Court is opened.—

David Burke Claimant of Sundry goods &c
vs
Joaquim Zamorano.

This cause was further argued by Mr Hoffman for the Claimant and appellee.—

Joaquim Zamorano
vs
David Burke Claimant of Sundry goods &c

This cause was further argued by Mr Hoffman for the Plaintiff.—

James Forbes to use of David Burke
vs
The Proceeds of Sundry goods &c now Joaquim Zamorano

This cause was further argued by Mr Hoffman for the Defendant.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

Wednesday February 16th 1825

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble. John Marshall Chief Justice

The Honble: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson — Associate Justices.

Proclamation being made the Court is opened.

On Motion Jacob Crowninshield Esqr. is admitted to practice as an attorney and counsellor of this Court. —

154 John Raymond, Solomon Peck and Joseph Raymond Penny Peck and Catharine Peck — Pltffs in Error

vs.

John Doe on the demise of John H. Cahall & Sarah Ann Cahall — Defts in Error

The defendants — Thos. H. McNitt, their attorney having produced a certificate from the Clerk of the circuit Court of the United States for the District of Kentucky that on motion of Erica had been taken, on this cause and the Record not having been filed agreeably to the rules of this Court - It is ordered that the said cause be docketed and that the writ of Error be and the same is hereby dismissed. —

Wednesday February 16th 1825 Court

David Burke claimant of Sundry goods &c. vs Joaquim Lamorana	This cause was further argued by Mr Hoffman for the defendant and by Mr Hunt for the plaintiff
Joaquim Lamorana vs David Burke claimant of Sundry goods &c and	This cause was further argued by Mr Hoffman for the plaintiff and by Mr Hunt for the defendant -
James Fales & David Burke vs The proceeds of Sundry goods &c and Joaquim Lamorana	This cause was further argued by Mr Hoffman for the defendant and by Mr Hunt for the plaintiffs -
Patrick H Darby's Depee vs Sebastian Mayer and Lewis Brents	This cause was argued by Mr Brooks and Mr Bibb for the plaintiff

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock -

Thursday February 17th 1825.

Proceedings in adjournment of the Court held this morning at the Court House.

Present —

The Honble. John Marshall Chief Justice.
Bushrod Washington
William Johnson assocte
The Honble. Gabriel Duvall Justices.
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

Patrick Ro Darby Esqr. } vs. } This cause was fully argued by Mr Hoffman and Mr White for the defendants —
Edmund Morgan and Thos Banks

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. —

Friday February 18th 1825.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable John Marshall Chief Justice
Bushrod Washington
The Honble. William Johnson Associate
Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened...

On Motion it is ordered that Robt. A. Kinzie be admitted to practice as attorney and counsellor of this Court...

Phileman Thomas
vs
Gabriella Breckinbridge
John Hanna, Eliza Hanna
Jacqueline B Hanna and
Julianna Hanna heirs
of John Hanna deceased

31.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel. On Consideration whereof it is Ordered and Decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Friday February 18th 1825 Court'd

Patrick & Lindsay Esqrs Have come further on
vs. quoad the Def'ts Plea
Schouler Morgan and the Replication and Issue
Tenn Bundy Def'ts Bill & the plaintiff's.

On motion Scott Dundas & Mr Lowell Have come Mr
Wm Key Bond Esqrs be admitted to practice as
Attorneys and Counsellors of this Court. —

Parol Examination being made the Court is adjourned
until tomorrow morning at eleven O'clock. —

Saturday February 19th 1825.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Hon'ble Gabriel Duvall
Joseph Story
Smith Thompson
} Associate Justices

Proclamation being made the Court is opened.—

On motion first made to the Court It is ordered that Henry R Warfield Esquire be admitted to practice as an Attorney and Counsellor of this Court.—

The United States
The officers & Crew of the United States Schooner Spunkers —
vs
The Brig Palmyra

35.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of South Carolina and further proof filed in the cause and was argued by Counsel. On consideration whereof, It is ordered that the appeal in this case be and the same is hereby dismissed. It not appearing from said Record that there was a final decree of said Circuit Court in said cause.—

Saturday February 19th 1825. Cont'd

	Thomas D Carmack Alice D Buckner Exr. Late Alice D Carmack James D Buckenridge. Thomas D Coleman Heirs and Representatives of Thomas Carmack dec'd	These causes came on to be heard (on error & appeals) on the Transcript of the Record of the Circuit Court of the United States for the District of Tennessee and were argued by Counsel. On Consideration whereof. It is Ordered and Decreed, that the decree of the said Circuit Court be Reversed and that the Bill of the Complainants be dismissed with costs.
10.	Vs Henry Banks and Henry Banks	
11.	Vs Thomas D. Carmack, Alice D Buckenridge late Alice D. Carmack, Jas D Buckenridge Thos D. Coleman Heirs &c Representatives of Thos Carmack.	
	John McConnell Vs Jacob D Peyton Exr &c	This cause was argued by Mr Reichardson for the Plaintiff
	Thelemon Thomas Vs Benjamin Johnston Exr &c	This cause was argued by Mr Reichardson for the Plaintiff and by Mr Talbot & Mr. Bibb for the Defendants.

572. Saturday February 19th 1825. Cont.d

Rule of Court. No. 35.

Ordered, That after the present Term no original Record shall be taken from the Supreme Court Room or from the office of the Clerk of this Court.

Proclamation being made the Courts adjourned until Monday Morning next at eleven Oclock A.M.

Monday February 21st 1825. 573.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson } associate
The Honble. Gabriel Duvall } Justices
Joseph Story }
Smith Thompson }

Proclamation being made the Court is opened.

Colin (on Demurrer) vs. Jacob & Peyton Mathews

This cause was further argued by (W. Leigh for the Plaintiff.

Thomas Thomas vs. Benjamin Johnson & Mathews

This cause was further argued by (W. Leigh for the Plaintiff.

(on Motion of Counsel Marshall ordered that the Rule entered on the 19th Instant be discharged.)

Jonathan Mayo vs. Joseph Almonester & Mayor &c. of New Orleans

This cause was argued by (Mr. Mayo and (Mr. Morgan for the Plaintiff and by (Mr. Livingston for the Defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 22nd 1825.

Court to adjourn until the hour of ten this morning at the Capitol.

Present —

The Honorable John	Marshall	Chief Justice.	
	Bushrod	Washington	
	William	Johnson	associate
The Honble:	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson.	

Proclamation being made the Court is opened —

Lucas	Elmendorf	This cause was argued by Mr. Talbot and Mr Key for the
vs		Plaintiff and in Mr Webb
Rebekah Taylor & others		for the defendants —

Proclamation being made. The Court is adjourned until tomorrow morning at eleven O'clock —

Wednesday February 23d 1825.

pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice

The Honble: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Thomas Thompson — associate Justices

Proclamation being made the Court is opened.

Joseph Gay. Cyprian Gay and Rich.d Gay Exrs and Executors of Rich.d Gay dec.d vs Ch.s Conrad & Co. Ch.s Chisom

22

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of West Tennessee and was argued by counsel on consideration whereof it is ordered and decreed that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and annulled and it is further ordered that the cause be remanded to the said Circuit Court for further for further proceedings to be had therein according to law. —

Wednesday February 23rd 1825. Cont.d

Isaac Emerson vs Nicholas Taylor & others ...	This cause was further argued by Mr. Bibb for the defendants and by Mr. Clay for the plaintiff ...

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock ...

Thursday February 21st 1825.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall chief Justice

The Honble: Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
Smith Thompson
} associate Justices

Proclamation being made the Court is opened.

Joaquim José Vasques
Consul general of Portugal
vs.
Timothy Pickering & William Bulfinch Jr.
John L. Daniels Admr

This cause was argued by Mr Hoffman for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Friday February 25th 1825.—

Pursuant to adjournment the Court met this morning at the usual hour.

Present

The Honorable John Marshall Chief Justice.

The Honorable: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson — Associate Justices.

Proclamation being made the Court is opened.—

Joaquim José Vasques Consul General of Portugal vs John D. Daniels Claimt

This cause was further argued by Mr Taney and Mr Hunt for the appellant and by Mr Hoffman for the appellant.

Thomas Janney vs The Columbian Insurance Company of Alexandria

This cause was argued by Mr Swann for the plaintiff and by Mr Jones for the Defendant.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

Saturday February 26th 1825.

Present as adjournment - His Honor Chief Justice sitting at the Capitol.

Present.

His Honor John Marshall Chief Justice
Bushrod Washington
Alexander Johnson
His Hon'ble Gabriel Duvall
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

18. Dennis Burke Claimant of Seventy goods — Jacques Tamerone and Jacques Tamerone (Appellants) vs. David Burke (Respondent)

This Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Virginia and was argued by Counsel

19. Dennis Burke Claimant of Seventy goods (Appellant) vs. James Forbes & David Burke (Respondents)

On consideration whereof it is ordered adjudged and decreed by the Court that the decree of the said Circuit Court in the premises be and hereby is affirmed except in the allowance of the claim stated in the petition of the claimants paid for

(dollars)

duties and exempt so far as is thereunto directed by this decree and this Court proceeding to pass such decree as the said Circuit Court ought to have given the Court further orders adjudge and decree that the said items of duties amounting in the sum of nineteen hundred and forty four dollars and fourteen cents be deducted from the aforesaid value of the property as ascertained in the Stipulation and that the Libellant have restitution of the residue of the appraised value and that upon so much of the said proceeds as has not already been paid to the Libellant, Interest at the rate of six per centum per annum be allowed to the Libellant from the time of the present appeal until this present decree shall be executed upon Mandate being sent to the said Circuit Court together with all the records of said as the present as on the original appeal and that the said Stipulations do stand as security therefor and that the said Circuit Court do award Execution upon the said Stipulation for the amount of the principal interest and costs so ordered adjudged and decreed.—

The United States Claimants of African Negroes
vs
Charles Marbury vice Consul &c
and
The United States

The Claimants of African Negroes part of the Cargo of the Constellation

These causes prosecuted by Mr Key on the part of the Libellants.

Proclamation being made the Court is adjourned until Monday morning next at eleven O'clock.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall chief Justice.
Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
Smith Thompson
Associate Justices.

Reclamation being made the Court is adjourned. —

The United States of African Negroes &c
vs
Charles Winslow &c
Claimants of Spain
and
The United States
vs
The claimants of the Negroes late of the Spanish Schooner Constitution &c

Arguments now had on the part of the claimants by Mr. Berrien and Mr. Ingersoll for the defendants. —

Reclamation being made the Court is adjourned until tomorrow morning 10 o'clock. —

582. Tuesday March 1st 1825.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Hon'ble. Gabriel Duvall associate Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened —

Clayman & Clark
vs
14. Southard & Starr

This cause came on to be heard on the Transcript adjourned from the United States Court for the 8th Circuit and District of Kentucky and was argued by Counsel, On consideration whereof this Court is of opinion that the statutes of Kentucky in relation to executions which are referred to in the questions certified to this Court on a division of opinion of the said Judges of the said Circuit Court are not applicable to executions which issue on Judgments rendered by the Courts of the United States. Which is directed to be certified to the said Circuit Court. —

The United States, Libels of Africans Negroes &c
vs
Libels Mullowny vice Consul of Spain
and
The United States
vs
The claimants of African Negroes part of the Cargo of the Antelope or Ramirez

These causes were further argued by Mr Ingersoll for the Defendants —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Wednesday March 2nd 1825

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	chief Justice
	Bushrod	Washington	
	William	Johnson	associate
The Hon'ble	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened —

On Motion first made to the Court It is ordered John B Gray and Benja. Hall Esquires be admitted to practice as Attorneys and Counsellors of this Court . .

51. The Bank of the U. States vs Thomas Swanwick

This cause came on to be heard on the point on which the Judges of the circuit Court of the United States for the Seventh circuit and District of Kentucky were divided in opinion and which was adjourned to this Court and was argued by Counsel. On consideration whereof this Court is of opinion that a Pafias ad Respondendum ought to issue on the Judgment in the said question mentioned as moved for by the plaintiffs which is directed to be certified to the said circuit Court. —

Wednesday March 2nd 1825 Cont'd

50. The Bank of the U. States
vs
Daniel Rutland Abraham
Arnable & William Adams

This cause came on to be heard on the points on which the Judges of the Circuit Court of the United States for the Seventh circuit and District of Kentucky pronounced no opinion and which were certified under the act of Congress in that case made and provided adjourned to this court and was argued by Counsel for consideration. Whereof this court is of opinion that the act of the General assembly of Kentucky referred to in the said question cannot operate upon bind and affect the mode in which the said Executions & Decrees should be enforced by the Marshal and for the sale of the land levied upon under it, it commanded three fourths of its value when estimated according to the provisions of the said act, and that this opinion remains the same upon a second hearing & decide whether the said act is or is not repugnant to the constitution of the United States - all which is directed to be certified to the Circuit Court of the United States for the Seventh circuit and District of Kentucky. ——

James Taylor Senior
vs
Thomas D. Penington & others

Return to certiorari filed.

The United States Claimants of African Negroes &c

vs

Charles Mullony Vice Consul of Spain

and

The United States

vs

The claimants of African Negroes part of the Cargo of the Antelope or Ramirez

These causes were further argued by the attorney general for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock —

Thursday March 3rd 1825.

Pursuant to adjournment the Court met this morning at the Capitole.

Present:

The Honorable John Marshall Chief Justice

Bushrod Washington
William Johnson — associate
The Honble. Gabriel Duvall — Justices
Joseph Story
Smith Thompson

This cause coming on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel On Consideration whereof

It is decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs —

Thursday (March 3rd 1825. Cont'd

The United States Claimants of African Negroes

vs.

Charles (Mulatto slave) Consul of Spain

and

The United States

vs.

The Claimants of African Negroes part of the Cargo of the Antelope or Ramirez

These causes were further argued by Mr Key for the appellants and by Mr Ingersoll and Mr Berrien for the defendants and by the attorney general for the appellants...

Proclamation being made the court is adjourned until tomorrow morning at eleven Oclock ..

Friday March 4th 1825.

Pursuant to adjournment the Court met this morning at the Courthouse.

Present.

The Honorable John Marshall, chief Justice.
Bushrod Washington
William Johnson
The Honorable: Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamations being made the Court is opened.

On Motion first made to the Court & it is ordered that Alfred Hunter Esquire be admitted to practice as an attorney and counsellor of this Court. —

Thomas Wright
vs
John Page & Peyton Tyler

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of New Jersey and was argued by Counsel on the Consideration whereof. It is adjudged and ordered that the Judgment of the said Circuit Court be and the same is hereby affirmed with costs. —

Friday March 4th 1825 Court

Thomas Janney
vs
The Columbian Insurance Company of Alexandria

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by Counsel on consideration whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with cost.

On motion first made to the Court, It is ordered that Alexander C. Bullitt Esquire be admitted to practice as an attorney and counsellor of this Court

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Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Pursuant to adjournment the Court met this morning at the Capitol

Present —

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
The Honble.	Gabriel	Duvall	Associate
	Joseph	Story	Justices
	Smith	Thompson	

Proclamation being made The Court is opened

Williams (M'Kiernich Defts		This cause was argued by
	(at)	Mr Barbour for the appellant
And		& by Mr Beale for the defendants
Samuels	Tenley Defts	

Thomas	Phebes	This cause was argued by
and others		Mr Ingersoll for the appellants & by the Attorney
	vs	General for the defendants.
The	United States	

Proclamation being made the Court is adjourned until Monday Morning at eleven O'clock. —

Monday March 7th 1825.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall, Chief Justice.

The Honble: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story & Smith Thompson — Associate Justices

Proclamation being made the Court is opened —

On motion first made to the Court It is ordered that Josiah P Hooke Esquire be admitted to practice as an attorney and counsellor of this Court. —

28. Thomas Thelps for himself and others "vs" The United States

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel, On consideration whereof It is decreed and ordered that the decree of the said District Court in this case be and the same is hereby affirmed with costs. —

The Mayor Aldermen & Commonalty of the City of New York

vs

Thomas Morris

Mr. Chief Justice Marshall was not present at this cause

This cause was argued by Mr. Wheaton for the plaintiff in error and by Mr. Emmet and Mr. Ogden for the Defendant.

The Delaware Insurance Company of Philadelphia

vs

Charles D. Carlisle

Reinstated on docket of March Term 1824

Proclamations being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 8th 1803.—

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Honble Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamations being made the Court is opened.—

Henry Lurch administrator of Parsons Browning
vs
Charles Duvall of Gabr.

This cause was submitted to the Court by Mr Raymond and Mr Meredith for the Plaintiff and by Mr Jones for the defendant on their consolidated printed briefs.—

The United States
vs
Thomas Morres

This cause was further argued by Mr Emmet for the defendants and by Mr Meredith for the Plaintiff.

Mr Chief Justice Marshall did not set in this cause.

Wamelina Nonnenbeck
vs
John B. Thompson

This cause was partly tried
by the Court by W. Hackett
for the Plaintiff and by
Wm. O'Brien for the
Defendant on the
Trial of the Second Defendant resumed...

Regina Ex Rel. Jones
vs
Thomas Powell, Esq
of the Town of Woodstock

This Cause was argued
by Mr. Jones for the
Defendant in Chief.

Proceedings having been made to stand over
until Tomorrow morning at eleven o'clock. —

Wednesday March 9th 1825 ...

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice.

	William Johnson	
The Hon.	Gabriel Duvall	Associate
	Joseph Story	Justices,
	Smith Thompson	

Proclamation being made the Court is opened —

Jonathan Munro Umbrew Ferguson, James Gantenume, John L'Hommedieu, Edward Dennison, Jesse Beaman John M Bacque, John William & George H. Newman

vs

Joseph Almeida and certain goods, chattles and credits of said Joseph Almeida

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof It is decreed and ordered that the decree of the said Circuit Court in this case be and the same is hereby reversed and that the cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law. —

36

35. The United States and the officers and crew of the United States Schooner Grampus vs The Brig Palmyra

On motion of the attorney general on the part of the appellants It is ordered by the court that the commissioners heretofore issued to withdraw the further proof taken in this cause and that the Transcript of the Record of the said cause be remanded to the circuit court of the United States for the district of South Carolina —

The Schooner Plattsburg Lewis Mercer Commander vs The United States and the officers &c of the United States Ship of War The Cyane

This cause was argued by Mr Mason for the appellants and by the attorney general for the defendants —

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock —

Thursday March 10th 1825.

pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable John Marshall chief Justice
William Johnson

The Honble Gabriel Duvall associate
Joseph Story Justices
Smith Thompson

Proclamation being made the Court is opened

Joaquim Jose Vasques Consul General of Portugal on behalf of the owner or owners of the Ships or Vessels Grand Para Bothnea & the Cargoes thereof

No

44. Sundry quantities of Gales under Letters Bulliam writings Casks or otherwise and John D. Daniels Claimant

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel On Consideration whereof It is ordered, adjudged and decreed that the decree of the said Circuit Court refusing to issue an execution against John D. Daniels as prayed for by the Libellant in his petition be and the same is hereby affirmed with costs without prejudice to the Libellant to the said Circuit Court for a motion against the said John D Daniels according to the usage of the admiralty. that being a process to which the Libellant is entitled by Law.

Isaac Edmonds
&c
Hubbard Taylor, Thomas Linton, Daniel Mathes, — McDonald John Rose, John Poloff, John Boggs Peter Sebastes Robert Mathes William Walker James Anderson, Anderson Blount George Runion Thos Marlin. Edmund Tolens Butler James Brown John Ray, John Lusby, John Ray Edmund Black, William Hatfield, Isaac Spraggins Edward Lowry, Daniel Lowry Robert Harrison, Charles Lowry William Jacobs, Thomas Johnston, Daniel Wetherford Nicholson Wells

The Cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel On consideration Whereof this Court is of opinion that there is error in the decree of the said Circuit Court in this, that the said Circuit Court determined that the entry in the bill mentioned made by Walker Daniels on the first of April 1784 and afterwards on the first of July of the same year on which the plaintiffs title is founded is invalid Whereas this Court is of opinion that the same is a valid entry - It is therefore Ordered and decreed that the decree of the said Circuit Court dismissing the plaintiffs bill ought to be and the same is hereby reversed and annulled, And this Court is further of opinion that in cases of adversary title such an adversary possession as would bar an ejectment and the plaintiff possess a legal title, constitutes also a bar

Thursday March 10th 1825. Sent.

to Bill in Equity. It is therefore further ordered and decreed that this cause be remanded to the said circuit court with instructions to take such further proceedings therein conformably to this opinion as may be agreeable to equity and good conscience. All which is ordered and decreed accordingly. —

The Schooner Plattsburg
&c. &c. Marine Claimants
vs
The United States and the officers &c of The Cayane

This cause was further argued by Mr Jones on the part of the appellants. —

The Keeper of Marine Prison Boston
vs
John McGrew

This cause was argued by Mr Kelly on the part of the plaintiffs. —

The Bank of the United States
vs
The Bank of the State of Georgia

This cause was argued by Mr Edmund Ingersoll on the part of the plaintiffs. —

Conrad Peles
vs
Thos Bankson & others Defts

A more perfect Record filed by consent. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Friday March 11th 1825.—

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable John Marshall chief Justice.
Bushrod Washington
William Johnson associate
The Honble: Gabriel Duvall Justices.—
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

On Motion first made to the Court. It is ordered that Clarkson Nicholas Esquire be admitted a practitioner as attorney and counsellor of this this Court.—

The Bank of the United States. —
vs
The Bank of the State of Georgia —

This cause was further argued by Mr Berrien on the part of the defendants and by Mr Dougherty for the Plaintiffs —

Pursuant to adjournment the Court is opened and the Honorable Supreme Court sitting at Home Capitol —

Saturday March 12th 1825 —

pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	Associate
The Honble:	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened. —

Patrick H. Lindsay Esqr		This cause came on to be heard
vs		on the Transcript of the Record
23.		of the circuit Court of the United
Christian	Mayer &	States for the District of West
Jones	Brady	Tennessee, and was argued by

Counsel, On consideration whereof, It is adjudged and ordered that the Judgment of the said circuit Court in this cause be and the same is hereby reversed and annulled and it is further ordered that the said cause be remanded to the said circuit Court with directions to issue a "Venire facias de novo". —

The Bank of the United States	This cause was further argued
vs	by Mr Sergeant for the
The Bank of the State of Georgia	plaintiffs. —

Saturday March 12th 1825. Cont.d

Sixty Fifths of Brandy, Rum & Jamaica Claimants — vs The United States.

This Cause was argued by Mr Emmet on the part of the Plaintiffs —

Adam McLane Claimant of a moiety of Cargo of the Ship Good Friends — vs The United States.

Mr Taylor on the part of Claimant in this case

It is Ordered that the Plaintiff have leave to withdraw the Record of Libel in this Cause —

Final proceedings being stayed the Court is adjourned until Monday Morning next at eleven O'clock.

Monday March 14th 1825.

Court to be adjourned the Court met this morning at the usual hour.

Present

The Honorable John Marshall Chief Justice.

	Bushrod Washington	
	William Johnson	assocate
The Honble.	Gabriel Duvall	Justices.
	Joseph Story	
	Smith Thompson	

Proclamation being made the Court is opened.

On motion first made to the Court it is ordered that Upton Hill Harrison Esquire be admitted to practice as an attorney and counsellor of this Court.

Thos Johnson Plaintiff in Error
vs
The United States

38.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Fourth District of Pennsylvania and was argued by counsel, on consideration whereof. It is the opinion of this Court that the decree of the said Circuit Court be and the same is hereby affirmed with Costs.

Sixty Fifths of Brandy
Kennedy Plaintiffs
Claimants
"vs"
The United States

This cause was further argued by Mr Mechelen for the Defendants and by Mr Emmet for the Plaintiffs.

The Corporation of Washington
use of McCue & others
"vs"
Moses Gunnell
and
William Brent & others
"vs"
Gideon Davis.

These causes were argued by Mr Key for the plaintiffs and by Mr Swann for the Defendants.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock.

Tuesday March 15th 1825.

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honorable John Marshall chief Justice.
Bushrod Washington
William Johnson
The Honble. Gabriel Duvall } associate Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

Cornelius Van Lerbilt
&c
vs
John R. Livingston

This cause came on to be heard on the Transcript of the judgment of the Court of New York for the Trial of Impeachments and correction of Errors affirming the Judgment of the Supreme Court of Judicature of the said State rendered in favor of the said John R. Livingston against the said Cornelius Van Lerbilt and was argued by Counsel on consideration whereof It was Ordered and adjudged that the same Judgment is erroneous in this that the said Judgment sustains the demurrer of the plaintiff to the first special plea pleaded by the defendant in bar of the plaintiffs action and overrules the said plea as insufficient, whereas the said plea is a good and sufficient bar to the said declaration and ought not to have been adjudged.

37

Tuesday March 15th 1825 — Cont?

It being the opinion of this Court that the decree to the Steam boat Bellona in the Supreme Court granted under an act of Congress professed in pursuance of the constitution of the United States gave full authority to that power to promulgate the Laws of the United States by Steam or otherwise for the purpose of carrying on the coasting trade any Law of the State of New York to the contrary notwithstanding —

Therefore it is considered by this Court that the said Judgment of the Court for the Trial of Impeachments, and the Correctors of Errors be reversed and annulled, and it is further considered by this Court that the Judgment of the Supreme Court of Judicature of the State of New York be reversed and annulled and that Judgment be rendered accordingly for the damages of the Plaintiffs in the said Appeal and Error by the Defendant first pleaded and that the said plea be sustained and that the Plaintiff take nothing by his bill and writ. —

The United States claimants of an African Negroes part of the Cargo of the Vessel called the Antelope & Thomas called the General Ramirez & Charles Mulberry Grice claimants of Spain — and —

These causes came on to be heard on the Transcripts of the Record of the Circuit Court of the United States for the Eighth Circuit and District of Georgia and were argued by Counsel, on

Tuesday March 15th 1825. Cont.

And
The United States
13. To
Frances Farrell Vice Consul of Portugal in behalf of certain claimants of Sundry African Negroes part of the Cargo of the Antelope or Ramirez

conservation thereof. This court is of opinion that there is Error in so much of the sentence and decree of the said Circuit Court as directs the restitution to the Spanish claimant of the negroes aforesaid in the proceedings mentioned in the ratio which one hundred and sixty six bears to the whole number of those which remained alive at the time of pronouncing the said decree and also in so much thereof as directs restitution to the Portuguese claimant; and that so much of the said decree ought to be reversed and it is hereby reversed and annulled; and this court proceeding to give such decree as the said Circuit Court ought to have given doth direct and order that the restitution to be made to the Spanish claimant shall be according to the ratio which ninety three instead of one hundred and sixty six bears to the whole number comprehending as well those originally on board the Antelope as those which were put on board of that vessel by the Captain of the Arrogante, aforesaid making the apportionment according to this ratio and discounting from the number the valuable life which must follow the claims to which the Spanish claimants were originally entitled. The negroes of the said ninety three are to be returned to the said Spanish claimants on the terms in the said decree mentioned; and all

(the)

the remaining Africans are to be delivered to the United States to be disposed of according to Law; and the said decree of the said Circuit Court is in all things confirmed, & this decree affirmed. —

The Interpreter of Washington
was (Mr Pleasants and others.

Moses Sprowes
and
William Brent Nathan
"
Gideon Davis

These witnesses were sworn
& examined by Mr Jones
on the part of the defendants and by Mr. Key
for the plaintiffs. —

Samuel Klefflinger
"
Michael Der Sprung
and
Samuel Klefflinger
"
Michael der Sprung

These witnesses were sworn
by Mr Hunter for the
plaintiff and by Mr.
Swart for the defendant and
by Mr Sergeant for
the plaintiffs. —

Proclamation being made the Court adjourned
until tomorrow morning at seven o'clock. —

Wednesday March 16th 1825.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	Associate
The Honorable:	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened.—

31. The United States vs. Thomas Morris

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Southern District of New York and was argued by Counsel; on consideration whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with Costs.—

49. Sayles Piper & Bunday Kennedy & Wentland Claimants vs. The United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel, on consideration whereof It is decreed and ordered that the decree of the said Circuit Court in this cause be and

Same is hereby reversed and decree of restitution award-
ed and probable cause ordered to be certified from
this Court. —

William McCormick & Ellic
his wife, & Ulrich Springer & Sarah
his wife late Sarah Harrison heirs
and devisees of William Crawford deceased. —

vs

James Thompson. Bernard Thomp-
son, Samuel Thompson Aquilla
Linsham & Harriet his wife late
Harriet Thompson, Williams Linsha
and Sarah his wife late Sarah Thompson,
and Lelia Thompson heirs at law of Ber-
nard Thompson dec'd. Uriah Hemphill,
Thomas Hemphill, William H.
Hemphill, Edmund Hemphill,
William Hall and Nancy his wife
late Nancy Richardson late Nancy
Hemphill, Williams, Millicent
Harriet his wife late Harriet
Hemphill, and Polly Hemphill
Heirs at Law of Uriah Hemphill dec'd

This cause came on
to be heard on the
Transcript of the Record
of the Interrogatories
for the District of Ohio
and was argued by
Counsel on consideration
whereof It is
decreed and ordered
that the decree of this
Court in this cause be
the same is hereby
affirmed with Costs.

Wednesday March 16th 1825. Cont.d

James Dellcolf vs James Johnson & others	This cause was argued by Mr Hall for the appellants.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.

Thursday March 17th 1825.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
Smith Thompson

Associate Justices

The Marshal:

Proclamation being made the Court is open.

Wm Price

vs

Tench Ringgold, Marshal of the District of Columbia

Wm Key of Counsel for the plaintiff moves for a Rule to shew cause why a Mandamus should not issue to the Fourth Court of the United States for the District of Columbia, in the County of Washington directing them to award an attachment against the said Ringgold for the false return of — — Wm Price (which interlocutory) as the Court of the United States. —

James Lovell

vs

James Johnson & others

This cause was further argued by Mr Stone for the appellant and by Mr Bell and Mr Mercer for the defendants. —

Proclamation being made the Court is adjourned until

Friday March 18th 1825.

Yesterday the adjournment of the Court and this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Gabriel Duvall } Justices.
Joseph Story }
Smith Thompson

Proclamations being made the Court is opened —

James Le Roy
vs
James Johnson & Voss

This cause was further argued by Mr Hubbell for the defendants & by Mr Jones for the Plaintiff —

Charles W Roberts
Voss
vs
Beverly Chew & others

This cause was argued by Mr Swinnerton for the appellant Roberts. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice.

	Bushrod Washington		
	William Johnson		associate
The Honble:	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened.

29. The Bank of the United States vs The Bank of the State of Georgia

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Georgia and (was argued by counsel) on consideration whereof. It is ordered adjudged & decreed by this Court that there is error in the proceedings of the said Circuit Court in this that the said Circuit Court ought to have given to the Jury the first and fourth instructions prayed for by the Plaintiffs in Error in the bill of Exceptions. It is therefore considered by the Court that the Judgment of the said Circuit Court in the premises be and the same is hereby reversed; and that the said cause be remanded to the said Circuit Court with directions to award a Venire facias de Novo &c

42. Samuels Keplinger vs Michael Le Young and

43. Samuels Keplinger vs Michael Le Young.

These causes came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and were argued by Counsel on consideration whereof, It is adjudged and ordered, that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs —

Charles Ridgely Robert Gaither vs Benedict Calvert Executor

This cause was argued further by Mr. Key for the appellants Steph. R. Mende Enoch Humphreys and Edward S. Gardiner and by Mr Hunt for the Defendants and by Mr Jennings for the appellants Roberts. —

Proclamation being made the Court is adjourned until Monday Morning next at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the usual hour.

Present

The Honorable John Marshall Chief Justice
The Hon: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson associate Justices

Proclamation being made the court is opened.

On motion Leave is granted to the Counsel for the Plaintiff in error to withdraw the Record heretofore filed in this cause

Monday March 21st 1825. Cont.d

52 James Metcalf &c / James Johnson / Richard M. Johnson & / William T. Barry

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel On consideration whereof. This Court being of opinion that the contract in the bills set out is not usurious, nor illegal. It is ordered adjudged and decreed that the decree of the said Circuit Court in this cause be and the same is hereby reversed and annulled and it is further ordered and decreed that the said cause be remanded to the said Circuit Court to the intent that a decree of foreclosure may be there entered, on behalf of the complainant and such further proceedings be had therein as to equity and justice shall appertain. —

53 Robert Hamilton &c / John T. Johnson / Richard Johnson and / Benjamin Johnson / owners of the Steam Boat / Jefferson

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel On consideration whereof. It is Ordered, adjudged and decreed that for want of Jurisdiction in this cause as a cause of admiralty and Maritime jurisdiction the decree of the said Circuit Court be and the same is hereby affirmed with costs —

Charles W Roberts
Enoch Humphreys
Hugh K Meade &
Emmerson & Gardenier

vs

Benerly Cohen, Samuel K Knapp Administrator of the Estate of Edward Livingston and Mathias Cammerson

Transcript came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof It is decreed and Ordered and adjudged by the Court that the Decree of the said District Court of the State of Louisiana, so far as it dismisses the claim of Charles W Roberts and of Enoch Humphreys Hugh K Meade and Emmerson libelants the same is hereby affirmed and so far as it decrees any thing to the said Benerly Cohen, Samuel K Knapp administrator of the Estate of Edward Livingston late Naval Officer of the port of New Orleans and Mathias Cammerson Surveyor of the port of New Orleans he said the same is hereby reversed and the cause is remanded to the said District Court for further proceedings to be had therein according to Law.

Monday March 21st 1825. Cont.

The Mayor Aldermen and Common Council of the City of Washington for the use of Denis McCarty

vs

Moses Young

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by counsel on consideration whereof. This Court is of opinion that there is error in the proceedings of the said Circuit Court in proceeding to trial when the issue could not bring any issue properly examinable in the cause before the Court and also in rendering Judgment on the verdict found in the said cause for the defendant. Wherefore it is considered by this Court that the said judgment and the proceedings up to the declaration be reversed and set aside and that the cause be remanded to the said Circuit Court to be further proceeded in according to Law.

William Brent John Lenthall Thomas H Gillis Moses Young Daniel Rapine Thomas Young Jr and Samuel N Smallwood Managers &c

vs

Gideon Davis.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by counsel on consideration whereof. This Court is of opinion that there is error in the proceedings

of the said Circuit Court in reversing Judgment that the Issue was for the Defendant on the main which was found in said Cause and also in proceeding to trial when the Issue was not properly joined: Wherefore it is considered by the Court that the Judgment and the proceedings up to the declaration be reversed annulled and set aside and that the Cause be remanded to the said Circuit Court to be proceeded in according to Law.—

On the application of the Clerk of this Court It is ordered that James Coalsmill be and he is hereby appointed Deputy Clerk of this Court.—

The entries made in the following Causes are entered on the last days proceedings of the Court their respective dates not being known

	David Burke Claimant of Sundry goods &c vs Joaquin Jamison	Certiorari awarded
18.	Joaquin Jamison vs David Burke Claimant of Sundry goods &c	Certiorari awarded
19.		

Monday March 21st 1825 Cont.d

	James Forbes and		
	David Burke		
20.	vs	Certiorari awarded. —	
	The proprietors of sundry		
	goods &c. and		
	Joaquim Famorana		
	Samuel Howard		
25.	vs	Plaintiff's death suggested.	
	Achilles Murray		
	Olwen Williams	Return to certiorari filed	
40	vs	and	
	Ezekiel Morris	Alias Certiorari awarded.	
	George W. Campbell	Return to certiorari filed	
41.	vs	and	
	Ezekiel Morris	Alias certiorari awarded.	
	Bonnecham & Mitchell		
65.	vs	Certiorari awarded & issued.	
	Christie & Skinner		
	David Shelby's Exr's		
73.	vs	Certiorari awarded —	
	Thomas Guy		

Proclamations being made the Court is now
adjourned to the time and place appointed by Law.

At a Supreme Court of the United States begun and holden at the Capitol of the United States in the City of Washington being the present Seat of the National Government of the United States on the first Monday of August being the [illegible] day of the same Month in the year of our Lord one thousand eight hundred and twenty five and of the Independence of the United States of America the Fiftieth

Present The Honorable [illegible] one of the Associate Justices of the said Supreme Court and Resident of the fourth Circuit in the State of Maryland being present and the Clerk of the said Supreme Court attending

It is Ordered by the Court Judge that the following entries be made in the following causes to wit. —

1.	William Campbell Executor — vs — Pratt. Frances Peters	Continued from last Term (Continued)
2.	Perley & Macdonough vs — Thomas and Isaac H. Graham	Continued from last Term Continued —

August Term 1825. —

	George M. Adams Executor	Continued from last Term
3	vs	
	Lewis Sanders	Continued.
	James Taylor Executor	Continued from last Term
4.	vs	
	Thomas L. Quinn & Others	Continued.
	John Chase & others	Continued from last Term
5.	vs	
	J. J. Vasques Consul General of Portugal	Continued.
	Isaac G. Pearson Jr and James Carter	Continued from last Term
6	vs	
	Richard M. Harrison & Gabriel L. Lewis	Continued.
	Philemon R Stair & Garret Smith	Continued from last Term
7.	vs	
	Thomas Bennett & Charles Richardson	Continued.
	Conrad Riles	Continued from last Term
8.	vs	
	Thos Boulding & Wm Riles	Continued.

9.	Samuel Howard		Continues from last Term
	vs		
	Achilles Anfrey		Continues
10.	Allen Armstrong		Continues from last Term
	vs		
	Hugh K Pate		Continued
11.	John Smith T		Continues from last Term
	vs		
	Mitchell & Heinston		Continues
12.	The heirs of Brankin		Continues from last Term
	vs		
	John McGrew		Continues
13	Amos Edmonds Sept		Continues from last Term
	vs		
	Felix Grundy & others		Continues
14	Moses Williams		Continues from last Term
	vs		
	Ezekiel Norris		Continues
15	George W. Campbell		Continues from last Term
	vs		
	Ezekiel Norris		Continues

August Term 1835.

	James Parkins	Continued from last Term
16	vs	
	Richard M. Hart Exr of Wm Hart	Continued

	The Ship Mariana Flora Jorge Ventura Arcelets de Brillo Claimant	Continued from last Term
17	vs	
	The United States The Alligator	Continued

	The President & Directors of the Merchants Insurance Company	Continued from last Term
18	vs	
	Willard Peele & others	Continued. —

	James Jackson et. ux. Enoch St John	Continued from last Term
19	vs	
	Robert Chew —	Continued

	William Otis	Continued from last Term
20	vs	
	Ignace Walter	Continued. —

21.	John C. Tillinghast vs John Fowler & others	Continues from last Term Continues
22.	Philemon Thomas vs Benjamin Johnston & others	Continues from last Term Continues
23.	Heirs of Isaac and Nicholas Gouverneur Esqrs vs Richard H. Robertson	Continues from last Term Continues
24.	William G. Hastyet vs Daniel Bufford	Continues from last Term Continues
25.	Anthony F. Lehman & others vs George Rencken	Continues from last Term Continues
26.	Lewis Thornburg vs James Black & others	Continues from last Term Continues
27.	Stephen Kearney & others vs Randy & Wheaton	Continues from last Term Continues

August Term 1825. —

	Asa Handy	Continued from last Term
28.	vs	
	Stephen Hunting & others	Continued
	John Carmichael &	Continued from last Term
	Peter Mitchel	
29	vs	
	William Chrisler &	
	William Turner	Continued
	John Hawkins &	Continued from last Term
	William May	
30.	vs	
	Joshua Barney & Wife	Continued
	Bank of the U. States	Continued from last Term
31.	vs	
	Joseph Smith	Continued. —
	Allan M'Lane Claimant of a moiety of Cargo of Ship "Good Friends"	Continued from last Term
32.	vs	
	The United States	Continued —
	Robert G. Shaw	Continued from last Term
33.	vs	
	Ephraim Robins	Continued. —

	Marlin Walker Sheriff	Continued from last Term
34.	vs.	
	Cozens Griffin's heirs	Continued —
	Doe ex dem: Williams	Continued from last Term
	Patterson	
35.	vs.	
	Elisha Mims & others	Continued
	Robert Rankin &	Continued from last Term
	John P Schalzell	
36.	vs.	
	Robert Veall —	Continued
	James Finley	Continued from last Term
37.	vs.	
	The Bank of the U States	Continued
	William Coleman	Continued from last Term
38.	vs.	
	The Bank of the U States	Continued
	Isaac Shelby Executor	Continued from last Term
39.	vs.	
	Thomas Gray	Continued
	Henry Mullins heirs	Continued from last Term
40.	vs.	
	John & Isaac M'Intire	

41.	William Towle surv of Partridge &c — vs The Commercial Bank of Alexandria —	Continued from last Term Continued
42.	Joseph Brooks vs William Marbury	Continued from last Term Continued
43.	John Gassaway vs The Union Bank of George Town	Continued from last Term Continued
44.	The United States vs Nicholas B Van Zandt	Continued from last Term Continued
45.	Henry Lord & Brother of Darius Browning vs Charles Worrall & Son	Continued from last Term Continued
46.	John L Mayo & Polly Tippett vs James Slaughter	Continued from last Term Continued —

	The Treasurer of Pennsylvania for the use of Henry Hunter — vs	Continued from last Term
17.	Nicholas Longworth	Continued
	Solomon Elting — vs	Continued from last Term
18.	The Bank of the United States	Continued
	Clement T. Hunt — vs	Continued from last Term
19.	James Ramsay, executor	Continued
	Elisha L. Barnes, for the use — vs	Continued from last Term
20.	Oliver Williams	Continued
	The United States — vs	Continued from last Term
21.	John Hoffman, for the use	Continued
	Nicholas T. Williams — vs	Continued from last Term
22.	The Bank of the United States	Continued
	John Clay — vs	Continued from last Term
23.	Abraham Smith	Continued

August Term 1825. —

	James & Henry M'Cormick Mr. Cannon	Continued from last Term
54.	do Edward Featherstone & others . . —	Continued
	Robert Brackett Jr &	Continued from last Term
55.	do Daniel M'Leod & others . —	Continued —
	Joseph Smithson &	Continued from last Term
56.	do Adams Herbert & Co	Continued
	Richard M. Scott, Exr of Thomas Tracey &	Continued from last Term
57.	do Eliza L. Rankin	Continued
	Richard B Alexander & Lee M Alexander	Continued from last Term
58	do The Bank of Potomac	Continued
	John Sulse admr of Geo Bond &	Continued from last Term
59.	do Charles Little admr	Continued

60.	Richard M. Scott vs Samuel Sherrod Jr.	Continued from last Term Continued
61.	The Columbian Insurance Company of Alexandria vs Lewis Renaut "use Simms"	Continued from last Term Continued
62.	The Columbian Insurance Company of Alexandria vs Charles J Catlett	Cont—ued from last Term Cont—ued
63.	The Bank of the U. States vs Julius B Lowndes & others	Continued from last Term Continued
64.	Sarah F. Chatard Exor and heirs — vs Alexander Page & William B. Patton (U.S.)	Continued from last Term Continued
65.	Michael J. Nourse (U.S.) vs James Rothwell	Continued from last Term Continued —

August Term 1825.

66.	Mechanics Bank (Marten [illegible]) vs No	Continued from last Term
	Jacob E. Mott	Continues
67.	George W. L. Mann vs No	Continued from last Term
	Thomas P. Lawrence	Continues
68.	John Nixons Exrs vs No	Continued from last Term
	Richard Sullivan & others	Continues
69.	Elisha R. Potter vs No	Continued from last Term
	Hannah Gardner & others	Continues
70.	John Chace & others Claimants of Gold & Silver vs No	Continued from last Term
	The Marquis Counsl. General of Portugal	Continues
71.	George [illegible] & others vs No	Continued from last Term
	The Mechanics Bank of Alexandria	Continues

	Onesiphore	St Amand	Continued from last Term
72.		vs	
	John	Brandegee	Continued
	Onesiphore	St Amand	Continued from last Term
73.		vs	
	John	Brandegee	Continued
	William	Thornton	Continued from last Term
74.		vs	
	William	Wynn	Continued
	John	Taylor	Continued from last Term
75.		vs	
	The	Central Bank	Continued
	Tuesday afternoon 3 June		
	The Governor of Georgia		Continued from last Term
	Claimant		
76		vs	
	Jesse	Meriwether	Continued
	The Governor of Georgia		Continued from last Term
77		vs	
	Tuesday afternoon 3 June		
	Jesse	Meriwether Claimt	Continued

August Term 1815.

	Kosciusko Armstrong	Continued from last Term
78	vs	
	Benjamin L. Lear admr	
	of Thaddeus Kosciusko v. Nims	Continued
	Alexander McCamell	Continued from last Term
79	vs	
	The Trustees of the Town	
	of Lexington —	Continued
	Gillett Lockes admr	Continued from last Term
	de bonis non.	
80.	vs	
	The Bank of Columbia	Continued
	John Davidson & Joseph	
	Forrest Special Bail of	Continued from last Term
	John H. Piatt	
81.	vs	
	William Taylor Jr. use	Continued
	of the State Bank at Saunders	
	Richard M. Scott	Continued from last Term.
82.	vs	
	Benjamin Threewit	Continued
	[illegible] Executor	Continued from last Term
83.	vs	
	Robinson's administrator	Continued —

	Stephen Henderson	Continued from last Term
84.	vs.	
	George Poindexter's Defee —	Continued
	William Hancock	Continued from last Term
	Nathan Defee	
85.	vs.	
	James Gaillard	
	Nathan —	Continued
	Henry Rogers &	Continued from last Term
	Alexander Ferguson	
86	vs.	
	Defee of John Smith T.	Continued
	Defee McKay	Continued from last Term
87	vs.	
	Joseph T. Spangler	
	adm'r of Joseph Shaw	Continued
	William Montgomery	Continued from last Term
88.	vs.	
	Gaspar Rosemberg & c.	Continued
	Peter Mills	Continued from last T—
89	vs.	
	The Bank of the U. States	Continued. —

August Term 1825.

	Edward Mason Jr.	Continued from Last Term
90.	vs.	
	Nathan Hale Jr.	Continued
	Henry Martin	Continued from Last Term
91.	vs.	
	Lucy C. Markham	Continued
	Hudson Martin	Continued from Last Term
92.	vs.	
	Lucy C. Markham	Continued
	Rhodes Martin	Continued from Last Term
93.	vs.	
	Lucy C. Markham	Continued
	Moses Wrens heirs	Continued from Last Term
94.	vs.	
	Jonathan Jackson & others	Continued
	The United States	Continued from Last Term
95.	vs.	
	Priscilla Barker admx &c of Abraham Barker	Continued
	The United States	Continued from Last Term
90.	vs.	
	Priscilla Barker admx of Abraham Barker	Continued

	The United States	Continued from last Term
97.	vs.	
	Priscilla Barker admx. of Abraham Barker	Continued
	The United States	Continued from last Term
98.	vs.	
	Priscilla Barker admx. of Abraham Barker	Continued
	Thomas Winslow Esqrs.	Continued from last Term
99.	vs.	
	The City Council of Charleston	Continued
	John E. Rigdon	Continued from last Term
100.	vs.	
	Joseph Poulterer	Continued
	Francis Pratt	Continued from last Term
101.	vs.	
	The United States	Continued
	Arthur W. Magee Esqrs.	Continued from last Term
102.	vs.	
	The Bank of the U States	Continued

August Term 1825. —

	Daniel Parker	Continued from last Term
103.	vs	
	The United States	Continued
	John Thompson	Continued from last Term
104.	vs	
	George Peter & Thomas H. Johns administrators de bonis non of James Peter	Continued
	George Mason and Alexander Moore	Continued from last Term
105.	vs	
	Matilda Dorsey for herself and her children	Continued
	Robert McNemara	Continued from last Term
106.	vs	
	Joseph Jackson	Continued
	Daniel Carroll of Duddington	Continued from last Term
107.	vs	
	Joshua Peake	Continued
	James Kennedy	Continued from last Term
108	vs	
	John Taylor	Continued. —

James L'Hommedieu & Archibald Allen — Continued from last Term

109. vs

The Bank of the U. States — Continued

Randolph Harrison — Continued from last Term

11a vs

James Hopkirk surviving partner &c — Continued

John C. McLemore — Continued from last Term

111. vs

Pamell Foster & Co — Continued

The United States — Continued from last Term

112. vs

Robert Tillotson and Nicholas Lawrence Survivors &c. — Continued.

Alexander Denlap & The heirs of James Denlap

113. vs

John Denlap — Continued

Adam Mallow &

114. others vs

James F Randle — Continued

August Term 1825.—

	Depue of Stephen Decatur vs Davis	Continued from last Term
115.	do	
	Nancy Davis & others	Continued
	Depue of Stephen Decatur vs Davis	Continued from last Term
116.	do	
	John Cecil & Robert Saunders	Continued.
	John McKenna Depue	Continued from last Term
117.	do	
	John Christian	Continued
	James T McKenna vs others	Continued from last Term
118.	do	
	The Bank of Potomac	Continued.—
	James Finley vs others	Continued from last Term.
119.	do	
	Thomas P. Hinde & wife	Continued.
	James Ramsay	Continued from last Term
120.	do	
	John B. A. Allegre	Continued —

	Richard Drummond Surviving Partner &c.	Continued from last Term
121.	vs	
	Robert Denman & others Executors of George Presstman	Continued
	Alexander Brown & others.	Continued from last Term
122.	vs	
	The State of Maryland	Continued
	The United States	Continued from last Term
123.	vs	
	Francis H. Nicholls	Continued.
	William H. Wallace	Continued from last Term
124.	vs	
	The United States	Continued
	Reuben M. Whitney	Continued from last Term
125.	vs	
	The United States	Continued.
	William Parent &	Continued from last Term
126.	vs	
	John McKim Jr.	Continued.

August Term 1825.

127.	Robert Perry vs James Parker & others	Continued.
128.	The Bank of Washington vs Triplett & Neale	Continued.

Proclamation being made the Court is adjourned to the time and place appointed by Law.

February Term 1826.

At the Capitol of the United States in the City of Washington and District of Columbia being the present Seat of the National Government of the United States on the first Monday of February (being the sixth day of the same Month) in the Year of our Lord one Thousand eight hundred and twenty six and of the Independence of the United States the Fiftieth. The Supreme Court of the United States met agreeably to Law.—

Present.

The Honorable John Marshall		Chief Justice
The Honorable:	Bushrod Washington Gabriel Duvall Joseph Story	Associate Justices

Proclamation being made the Court is opened.—

The Court having been informed of the death of Elias B Caldwell Esquire late Clerk of this Court.

It is Ordered that James Caldwell do attend as Clerk until an appointment be made by the Court

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Monday February 6th 1826

On Motion first made to the Court, it is ordered that Robert Mc Martin Esquire be admitted to practice as an attorney and counsella of this Court. —

1. William Campbell vs Pratt Francis & others

On motion of Mr Key of counsel for the plaintiff It is ordered that the examinations & calculations ~~(filed)~~ in the Clerks by the order of Court of the seventeenth day of March in the year eighteen hundred and twenty be referred to Joseph Forrest as auditor & that he examine the Record and Report the evidence and Statement therein contained as to the question whether the Lots purchased by the appellant have been charged with more than their true proportion of the attorney fee to Law"

2. Ogle by &c vs Woodward vs Thomas Graham & Isaac R. Graham

The plaintiffs in this cause being solemnly called and not appearing. It is on Motion of Mr Semmes of counsel for the defendant ordered by the Court that the writ of Error in this cause be and the same is hereby dismissed.

The United States & the officers &c of the Schooner Grampus — vs — The Brig Palmyra

The counsel for the respondents in this cause moved to reinstate the same cause on the docket at the number it would have occupied had it not been dismissed at the last Term, the same dismissal having been made under a mistake of the counsel

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock —

Tuesday February 7th 1826

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble. John Marshall Chief Justice.
The Honble. Bushrod Washington, Gabriel Duvall, Joseph Story, Associate Justices.

Proclamation being made the Court is opened.

On Motion it is ordered that Mr. William Simpson be admitted a Barrister of this Court. Mr. Edward Bonsall be admitted an Attorney of this Court. Mr. Joseph Ingersoll be admitted an Attorney & Mr. Peter Duponceau be admitted a Counsellor & practitioner as Attorneys and Counsellors of this Court.

The United States and the officers &c of the School Ann Lyman ats
The Brig Palmyra

Ordered by the Court on the Motion, made heretofore by the counsel for the appellants, that the dismissal in the same cause be struck out and that it be reinstated & be allowed.

John L. Hunt & Sally Tiffin &c. ats
James Houghton

On Motion of Mr. Hinckley of counsel for the plaintiffs in Error Ordered by the Court

Court that the writ of Error in this cause be and the same is hereby dismissed each party paying his own costs (Order agreement filed)

William H. Hudgel
vs
Daniel Bedford

This cause (was argued by Mr Summe for the plaintiff and by Mr King and Mr Jones for the defendant and by Mr Summe in conclusion for the plaintiff

The Bank of the United States
vs
Joseph Lynch

This cause (was argued by Mr Sloo for the plaintiffs and by Mr Taylor for the defendant and by Mr Sloo reply for the plaintiffs —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock —

Wednesday February 8th 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
The Hon'ble: William Johnson Associate
Gabriel Duvall & Justices
Smith Thompson

Proclamation being made the Court is opened. —

The Bank of the U. States
&c
Joseph Smith

The cause was further argued in conclusion by Mr Dear for the plaintiffs. —

Joseph Brooks
&c
William Marbury

On motion of Mr Key of Counsel for the defendant. It is ordered that a rule be granted against the plaintiff to shew cause by Thursday next the 9th inst why the said cause should not be dismissed unless a bond with the same conditions for principal and interest be filed by that day in this Court. —

Wednesday February 8th 1826 Court 659

The United States
vs
Nicholas B. Vanzandt

This cause was argued by Mr Swann and the attorney General for the Plaintiffs and by Mr Jones and Mr Key for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Thursday February 9th 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present. —

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
The Hon'ble:	William	Johnson	Associate
	Gabriel	Duvall	Justices.
	Smith	Thompson	

Proclamation being made the Court is opened. —

William Otis
&c.
vs.
Lynde Walter

This cause was argued by Mr Blake for the plaintiff and by Mr Reed and Mr Webster for the the defendant, and by Mr Key of counsel for the plaintiff. —

Memorandum.

William Griffith Esquire of the State of New Jersey, having been appointed Clerk of the Supreme Court of the United States by the Justices thereof appeared before the Court this day, and took the oath of office prescribed by law, and did also at the same time, give bonds to the United States in the sum of Two thousand dollars for the faithful performance of the said office with Richard Cooper; and Joseph M Kennon Esquire as his sureties, which bond is approved by the Court and ordered to be filed. —

Thursday February 9th 1826. Cont'd.

Joseph Brooks
vs
William Marbury

On rule to shew cause why the said writ of Error should not be dismissed &c.
Mr. Cooper shewed cause against the rule for the Plaintiff and Mr. Key was for the Court in support of the rule for the defendant.

The Court having considered the argument of Counsel do order that the rule taken in this case be discharged &c.

William Thornton
vs
William Wagner

On motion of Mr. Key of Counsel for the defendant. It is ordered that the plaintiff do file additional and sufficient Security by bonds in this case, on or before Saturday next the 25th inst. or that the writ of Error be dismissed &c.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 10th 1826.

Pursuant to adjournment the Court met this Morning at the usual hour.

Present.—

The Honorable John Marshall Chief Justice
Bushrod Washington
The Hon'ble: William Johnson — Associate Justices
Gabriel Duvall
Joseph Thompson

Proclamation being made the Court is opened.

Philemon Thomas
vs
Benjamin Johnston
et alias.—

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel at the last Term, on consideration whereof. It is ordered and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

John Smith T
vs
Alexander McMichell
and Anthony Winston

This cause came on to be heard on Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by Counsel. On consideration whereof. It is ordered and adjudged by the Court that the Judgment of the District Court is erroneous in this that the said Court does not appear to have had jurisdiction of the cause. It is therefore considered by the Court that the said Judgment

Friday February 10th 1826. Cont'd

of the said District Court be reversed and annulled and that the said cause be sent back to the said District Court with directions to remand the same to the State Court. —

Joseph Brooks
vs
William Wheeling

Mr Justice Washington not sitting in this cause

This cause was argued by Mr Leaycs for the Plaintiff and by Mr Key and Mr Clint for the defendant and by Mr Jones finally for the Plaintiff. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Saturday February 11th 1826.

Pursuant to adjournment the Court met this morning at the Capitol

Present —

The Honorable John Marshall Chief Justice.
Bushrod Washington
The Hon'ble: William Johnson associate
Gabriel Duvall Justices
Smith Thompson

Proclamation being made the Court is opened. —

Joseph Brooks
vs
William Mahony

The argument of this cause was continued by Mr. Jones in reply for the Plaintiff. —

William J. Lecky
vs
Samuel Bufford

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Error to the Circuit Court of the District of Columbia. —
The Court having considered the Argument of Counsel upon the Record and proceedings in this cause — do order and adjudge, that the Judgment of the said Circuit Court in the same is hereby affirmed with costs. —

William Thornton
vs
William Meyer

Bond filed pursuant to an order of Court —

Anthony Fannin Lehiraa
Matthew Lehaspee and Anna
Maria athennisa called
Mariannas his wife.
Mathew Thennisa and
Maria his wife and Nanna
Bonfils . — .

This cause came on to be
argued by Mr Hoffman
and Mr Morgan for the plain-
tiffs
Mr Morgan afterwards the causes.

25. Do

George Remington

Proclamation being made the court is adjourned until
Monday morning next at eleven o'clock . — .

Monday February 13th 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon.ble Gabriel Duvall
Joseph Story
Smith Thompson
} associate Justices

Proclamation being made the Court is opened.

On Motion first made to the Court, It was ordered that Columbus Nelson Kingsmore Esquire be admitted to practice as an attorney and counsellor of this Court.

31. The Bank of the United States
vs
Joseph Smith

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia, on the County of Washington and was argued by counsel on consideration whereof. It is ordered and adjudged that the Judgment of the said Circuit Court, on the demurrer to evidence, in the said cause be reversed, and it is further ordered and adjudged, that the said cause be remanded to the said Circuit Court with instructions that Judgment be entered there on said demurrer for the plaintiff in the cause. And further that the Court there do enter Judgment on the contingent remitter formerly for the plaintiff according to the form of the agreement

William Otis
vs
Ingraham Waller

This cause came on to be heard on the Transcript of the Record of the Supreme Judicial Court of Massachusetts and was argued by counsel. on consideration whereof. It is ordered and adjudged that the Judgment of the Supreme Judicial Court of Massachusetts be and the same is hereby reversed and annulled and that the said cause be remanded to the said Supreme Judicial Court and judgment be entered there for the plaintiff in error the defendant in that Court William Otis.—

Anthony Tames Coheran
Cashier —
vs
George Remsden

The argument of this cause was continued, and the part of the defendant by Mr. Ogden and Mr Winder and in reply by Mr Hoffman, in reply for the plaintiff.

John G Fitzhugh
appellant —
vs
John Fowler Cashier
appellee. —

The argument of this cause was opened by Mr Bibb on the part of the appellant —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Tuesday February 14th 1826.—

Pursuant to adjournment the court met this morning at the Capitol.

Present—

The Honorable	John Marshall	Chief Justice	
	Bushrod Washington		
	William Johnson		Associate
The Honble	Gabriel Duvall		Justices.—
	Joseph Story		
	Smith Thompson		

Proclamation being made the Court is opened.—

John C. Tillotson appellant.—
vs
John Fowler & others appellees.—

The argument of this cause was continued by Mr. Talbot for the appellees and by Mr. Bell for the appellant &c.—

James Taylor Executor appellant
vs
Thomas B. Young & others appellees

This cause comes on and was argued by Mr. Talbot for the appellant and by Mr. Tarrall for the appellees.—

Carmichael & Mitchell
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vs
Chrisler & Lemmon

Returns to Instructions filed.—

Proclamation being made. The Court is adjourned until tomorrow morning at eleven O'clock.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Assistants Gabriel Duvall
Joseph Story
Smith Thompson

Associate Justices

Parol arguments having ended the Court is adjourned —

John Johnson Pltff in Error
vs
Joaquim José Vasquez Consul Generals of Portugal Deft

This cause was opened by Mr. Hoffman for the Pltff in Error.

Johnson Johnson Pltff in Error
vs
Joaquim José Vasquez Consul General of Portugal Deft in Error

This cause came on to be heard on the Transcript of the Record of the Decree of the Circuit Court of the United States for the District of Maryland and upon the opening thereof by the counsel for the Pltff in Error it appearing to the Court that the decree of the said Circuit Court is only interlocutory and not final therefore it is ordered and adjudged that the said Pltff's Writ of Error be dismissed &c —

Wednesday February 15th 1826 Con'd

Conrad Peles vs Thomas Baudoin Sotters Defendt in Er. —	This cause was argued by Mr Isaacs on the part of the plaintiff in Error. —
Norbert Brantin Lemmes Brantin and Arsenne Brantin heirs of Narcisse Brantin deceased. — vs 13. John McGunn	The plaintiffs in Error having been three times solemnly called, and not appearing to prosecute their suit against the defendant by order of the court the same suit of Error is dismissed for default of prosecution —
The Estate of Thomas T. Hinde. vs Nicholas Languenthe	This cause was argued by Mr Peale for the plaintiff and by Mr Chevalier for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamations being made the Court is opened.

On Motion first made to the Court it is ordered that Lewis L. Pease Esquire of Rhode Island and Charles Carter Lee Esquire of the District of Columbia be admitted to practice as attorneys and counsellors of this court —

The Depos of Thomas P. Hunter
vs
Nicholas Longworth

The argument of this cause was continued by Mr Key in support of the motion for the injunction and by Mr Scott in reply for the plaintiff . .

The United States
vs
Nicholas P. Longworth

This cause comes on to be heard on the Transcript of the Record of the circuit Court of the United States for the (District)

District of Columbia, and considerations whereof it appears to the Court Heard, that there is error in the Judgment of the said Circuit Court in giving Judgment for the Defendant in Error. Whereupon it is ordered and adjudged that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and the cause is remitted to the said Circuit Court with directions to issue a Venire facias de novo. —

Richard Mc Scall Esq.r &c
of Thomas Tracy and
Elizabeth Rankin

The writ of error in this cause is dismissed by the Court on the agreement of the parties having settled the cause. —

Simon Perkins
vs.
Richard Mc Knight Exr
of William Knight

This cause was argued by (Mr. McCaleb for the plaintiff and by (Mr. Hammond & Mr. Mercer for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon. Gabriel Duvall associate Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened —

Simon Perkins
vs
Richard N. Hunt Exr of William W. Hunt

The argument of this cause was continued by Mr Wright in reply for the [illegible]

The President Directors of the Merchants Insurance Company appellants
vs
Levi Hollins Peter Perkins appellees

By order of the Court this cause is continued to the next Term —

The Ship Marianna Flora Visconde Reentuna Anselello, de Britto Master of said Ship vs Philip Marett, late Consul of Portugal on behalf certain owners &c claimants and appellants —

&c
vs

The United States &c Defendants and appellees

This cause came on and was argued by Mr Knapp for the appellants. —

Proclamation being made the court is adjourned until tomorrow morning at eleven oclock. —

Saturday February 17th 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable	John Marshall	Chief Justice.
	Bushrod Washington	
	William Johnson	associate
The Honble:	Gabriel Duvall	Justices.
	Joseph Story	
	Smith Thompson	

Proclamation being made the Court is opened.—

The Ship Mariana Flora Hargo &c claimants and appellants —

vs

The United States &c Libellants & appellees —

The argument of the cause was continued by Mr. Knapp for the appellants, and by Mr. Blake for the appellees —

Proclamation being made the Court is adjourned until Monday Morning next at eleven O'clock —

Monday February 20th 1826—

Pursuant to adjournment the Court met this morning at the Capitol;

Present—

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson associate
The Hon'ble Gabriel Duvall Justices
Joseph Story &
Smith Thompson

Proclamation being made the court is opened—

This Court having been informed of that our much respected brother and associate Mr Justice Todd has departed this life—

Resolved, That we will, in testimony of our sense of this wrath and of our deep feeling at the afflicting loss we have sustained, wear crape for the residue of the term.—

(Anthony Tarrin Schmaes
Matthew Chapman Clerk
Maria Thurmer called
(Marianna his wife) Matthew
Thurmer and (Maria his wife
and Maria Bonfils —

25. "

George Reinecker—

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel on consideration whereof it appears to the Court that there is error in the Judgment of the said Circuit Court in giving Judgment for the

[illegible] Judgment in Error. The writ of Error is dismissed with Costs. The mandate is ordered to be issued to the said Circuit Court [illegible]

Joseph Brooks
vs
William Marbury

42.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by Counsel. On consideration whereof it appears to the Court that there is error in the Judgment of the said Circuit Court in giving Judgment for the Defendant in Error, Wherefore It is Ordered and it is adjudged that the said Judgment be and the same is hereby reversed, and the said cause is remitted to the said Circuit Court with directions to issue a venire facias de novo &c. —

Sarah F Peltebone
vs
Alexander Pope and
William B. Patton

On motion of Mr Jones it is suggested on the Record that the death of Sarah F Peltebone is suggested on the Records, and it is ordered by the Court that Thos L McKenney Esq Lieutenant Elias B Thompson Executor of Thompson Thompson Executor of Thompson Executor of Thompson Executor of Thompson William F Lynch and Eliza his wife Maria F Peltebone and Robert Sinclair and Sarah his wife heirs and devisees of the said Sarah F Peltebone and the said William F Lynch and wife acting Executor of the last will and testament of the said Sarah F Peltebone and Sarah F Peltebone Executrix and Robert Sinclair Executor in said will and testament named be made parties to the suit instead of the said Sarah F Peltebone deceased

Monday February 20th 1826 Court a

The Chief Insurance Co. of Alexandria Plaintiffs in error, &c.
vs.
The United States for the use of Hallowell and others, defendants in error.

The argument of this cause was continued by Mr Blake for the plaintiffs in error.

Old. Grant for the defendants in error.

Mr Meredith for the defendants in error.

Saml. Dexter for the use of the Bank of the Commonwealth of Kentucky.

Mr Hallowell for the defendants in error moved the court to dismiss the writ of Error in this cause because it does not appear in the Record that the property in controversy is of such value as to warrant this court in entertaining jurisdiction of the same. Whereupon on the suggestion of Mr Dallas for the plaintiffs in Error it was ordered that the plaintiffs in Error show cause by the first day of the next term why the said writ of Error should not be dismissed for the reasons aforesaid and that each party be at liberty to take affidavits for the purpose of showing the same value.

Proclamation being made the court is adjourned until tomorrow morning at eleven O'clock.

Tuesday February 21st 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice.
Bushrod Washington
William Johnson associate
The Honorable: Gabriel Duvall Justices.
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

Order of Court.

Mr Wirt the Attorney General having moved the Court in pursuance of the 3d Resolve contained in the ordinance of the Bar and officers of the Supreme Court of the United States, for the Court that the said proceedings of the Bar and officers, be entered upon the minutes

of this Court, proceedings are ordered accordingly as follows viz.

"At a public meeting of the Bar and officers of the Supreme Court of the United States, in the Court House at the City of Washington on Monday the 20th day of February Anno Domini 1826 Mr Attorney General Wirt having called to the Chair the following Resolves were proposed by Mr Berrien and unanimously adopted

Tuesday February 21st 1826. Cont.

Resolved: That the Members of this Bar and officers of the Court feel sensibly the loss which this Court and this Country have sustained in the death of the Hon. Thomas Todd late a Judge of this Court. —

Resolved That to testify their respect for the virtues and talents of the deceased, and their sense of the loss which the community has sustained by his death, the Members of this Bar and the officers of the Court will wear the usual badge of mourning for the residue of the Term. —

Resolved: That the Attorney General on behalf of the Bar and officers of the Court do respectfully move the Court, that the foregoing Resolutions may be entered on the records of its proceedings."

(Signed) W. Wirt

Chairman

The United States Plaintiffs &c
appellants &c —
vs
The Bank of the United States &c
Defendants and appellees &c

The argument of this cause was continued by Mr Webster for the appellees, and by Mr Emmet in reply for the appellants &c. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Wednesday February 22nd 1826.

Pursuant to adjournment the Court met this morning at the Courthouse.

Present

The Honorable	John Trimble	Chief Justice
	Burt Humphreys	
	William Johnson	associate
The Honble	Gabriel Slaughter	Justices
	Joseph Henry	
	Lewis Thompson	

Proclamation being made the Court is opened.

John D. Phillips Esqr
affidavit

vs

91. John Fowler, Jacob Ruberman
Samuel Coleman Thomas
Fletcher Thomas Thompson
William Green, Tarleton
Green, George Parmes Henry
Ross Hamilton Elliott
John Steele Nicholas Steele
Isaac Thomas, Isaac Moore
William Moore John Allen
Lewis Jones, Reuben Jones,
John Thompson, Peter Humphrey
Thomas Thompson & Hamilton Thompson

The cause coming to be heard on the Transcript of the Record of the Decree of the Circuit Court of the United States for the District of Kentucky, and being argued by counsel on consideration whereof it is Ordered and Decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed and that the said appellee recover against the said Plaintiffs

Wednesday February 22nd 1826. Cont.

On Motion first made to the Court It is ordered that Wm. Mc Worthington Esquire of the District of Columbia be admitted to practice as an attorney and counsellor of this Court —

Depon of Isaac and Michael Commissioners
(1)
vs
Richard Mc Robertson

On certificate of division in opinion of the Judges of the Circuit Court of Kentucky District. This cause was argued by Mr Edmunds for the plaintiffs. plaintiffs and by Mr Bibb for the defendant. —.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —.

Thursday February 23rd 1826.

Pursuant to adjournment the Court met this morning at the Penitentiary.

Present

The Honorable John Marshall Chief Justice
The Honorable: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson — Associate Justices

Proclamation being made the Court is opened. —

On motion first made to the Court It is ordered that F. S. Key Esqr. of the State of Maryland be admitted to practice as an attorney and counsellor of this Court. —

47. The Bishop of Vermont Stroke & Als vs Nicholas Longworth

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Ohio and was argued by counsel On consideration whereof it appears to the Court that there is error in the Judgment of the said Circuit Court whereupon it is ordered and adjudged that the said Judgment of the said Circuit Court in this cause be and the same is hereby reversed And it is further ordered that the said cause be remanded to the said Circuit Court with directions to issue a venire facias de novo.

Thursday February 23d 1826. Cont.d

4. Reuben Taylor devisee of James Taylor appellant
vs
Thomas L. Clemens Edmund Oakley Nathaniel Ewing Christopher Oakley James Isles. Polly Anderson Abigail Brooks & Tabulon Caudell & Appellees.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel, On consideration whereof. It is ordered and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

The Devisees of Isaac and Nicholas Hammond heirs
vs
Richard H. Robertson

The argument of this cause was continued and completed by Mr Sampson in reply for the plaintiffs.

Priscilla Hambling appellant
vs
James Black. Polly Black widow of Alexander Black & Samuel Black John Black William Black Alexander Black Thomas Black Polly Black & Sally Black heirs of Alexander Black dec.d & the Heirs (Wm Scott, Jonathan Scott, Edmund Wheby, the Farnsworth, Wm Lewis Thos Freeman, the Faden, Peyton Symmonds & Thos Symmonds children of Andrew Symmonds dec.d

On appeal from the Circuit Court of the United States for the District of Kentucky
The appellant in this cause there not appearing, on motion of Mr Bibb for the appellees the appeal was dismissed with costs.

Stephen Hennessy & others
appellants

vs

Oliver Hennessy & United States
appellees

and

Oliver Hennessy appellant

vs

Stephen Hennessy & others
appellees

Appeals from the Circuit
Court of the United States
for the District of Louisiana
District

These causes were argued by
Mr Johnston for Hennessy & others
the original complainants
and by Mr Rowe for the defen-
dant Hennessy.

Proclamation being made the Court is adjourned
until tomorrow morning at eleven O'clock

Friday February 24th 1826.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable John Marshall Chief Justice
The Hon'ble: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson — associate Justices

Proclamation being made the Court is opened.

Allen Armstrong vs Joseph H Toler

On writ of Error to the Circuit Court of the United States for the District of Pennsylvania.

This cause was argued by Mr. Wheaton and Mr. Chesterton for the plaintiff in Error and for the defendant in Error by Mr. Ingersoll.

Stephen Hanaing to the use of the appellants

vs

Asa Handy & Caleb Wheaton appellees

and

Asa Handy appellant

vs

Stephen Harding to the use of the appellees.

The argument of this cause was continued by Mr. Chesterton for the defendant Handy.

Friday February 24th 1826 Court

James Finley appellant
vs
The Bank of the U States appellee

Motion to dismiss the appeals from the Circuit Court of the United States for the District of Kentucky — The same was argued by Mr Crittenden for the motion on behalf of the appellees and by Mr Bibb for the appellants. —

John Hawkins and William Mary —
vs
Joshua Barney & Lefax

On writ of Error to the Circuit Court of the United States for the District of — This cause was argued by Mr Hinckley for the plaintiffs in Error and submitted. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

688. Saturday February 25th 1826.

Pursuant to adjournment the Court met this morning at the Capitol

Present -

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Washington	associate
The Honble.	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened -

On Motion first made the Court It is ordered that Robert A. Beale and Wm McManus Esquires be admitted to practice as attornies and counsellors of this Court. -

38 William Coleman appellant
vs
The Bank of the U States appellee -

The Court having considered the Motion heretofore made in this cause is of opinion that the appeal has been irregularly taken and does therefore order that the same be dismissed -

James Finley appellant
vs
The Bank of the U States appellee. -

The Court having considered the motion heretofore made in this cause is of opinion that the appeal has been properly taken and does therefore refuse the said motion. -

Stephen Kearney & others
appellants
vs
Asa Kearney & Caleb
Wheaton appellees —
and
Asa Kearney appellt
vs
Stephen Kearney & others
appellees

The argument of these cases was further continued and concluded by Mr Wheaton in reply —

Lessee Graham William Patterson — vs Elisha Minor & others

On certificate of division in opinion of the Judges of the Circuit Court of the United States for the District of Georgia.
Ordered by the Court that this being a case in which the court disagreed in opinion upon a question as to the competency of testimony that the party offering the Testimony holds the affirmative and must open the cause. This cause was argued by Mr Hall for the plaintiff; by Mr Whale for the defendants and answered by Mr Berrien in reply for the plaintiff —

James Finley appellant vs The Bank of United States appellee.

This cause was argued by Mr Hall for appellant and by Mr. Chilton for the appellee —

Proclamation being made the court is adjourned until Monday morning next at eleven O'clock

Monday February 27th 1826.—

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	associate
The Hon'ble	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the court is opened —

William Fowler surv[ivin]g Partner &c — (vs) The Common Council of Alexandria —

Error from the Inferior Court of the District of Columbia for the County of Alexandria

This case was argued by Mr. Swann for the plaintiff in error, Mr. Taylor and Mr. Jones for the defendants and by Mr. Mercer in reply for the plaintiff.—

Lewis Phillips Extrs &c (vs) Thomas Gray

Error from the District Court of West Tennessee —

The argument of this cause was continued by Mr. Jones for the pltff.—

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.—

Tuesday February 28th 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson associate
The Honble. Gabriel Duvall Justices
Joseph Thompson

Proclamation being made the Court is opened.

Daniel Phillips Trans
vs
Thomas Gray

Error from the District Court of West Tennessee. —
The argument of this case was continued by Mr Jones for the plaintiff in Error and by Mr White for the defendt —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Wednesday March 1st 1826

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John Marshall	chief Justice
	Bushrod Washington	
	William Johnson	
The Hon'ble:	Gabriel Duvall	associate Justices
	Joseph Story	
	Smith Thompson	

Proclamation being made the Court is opened. —

David Phillips Exr		The argument of this case was continued by Mr White and the attorney General for the defendant. —
&c		
Thomas Gray		

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock

Thursday March 2nd 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson associate
The Hon'ble Gabriel Duvall Justices
Joseph Story &
Smith Thompson

Proclamation being made the Court is opened —

Simon Perkins
for &c
Richard M. Hunt Exr
of William Hart

On certificate of division in opinion of the Judges of the Circuit Court for the Ohio District. —

16.

This case came on to be argued on the certificate of division of opinion of the Judges of the Circuit Court of the United States for the District of Ohio and on consideration thereof this Court is of opinion and do order it to be certified to the Circuit Court that the points presented upon which the opinions of the Judges of that Court were opposed are too imperfectly stated to enable this Court to pronounce any opinion upon them &c. —

Thursday 2d March 1826. Court

James Finley appellant
vs
The Bank of the United States
appellee. —

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This cause came on to be heard
argued on the Transcript of the
Record of the Circuit Court of the
United States for the Seventh
Circuit and District of Kentucky
and was argued by Counsel on consideration whereof this
Court is of opinion that there is no error in the decree for
the sale of the mortgaged premises in the bill mentioned
the same having been made by consent nor in the final decree
confirming the report of the marshal except so far as it directs
that the note in the deed of Mortgage mentioned should
carry interest from its date, whereas interest should be
computed from the day on which the said note was made
payable which was sixty days after its date.
The said decree therefore is erroneous so far as respects
the computation of interest before the said note became
payable, and is so far reversed, and is in all other things
affirmed. — And the cause is remanded to the said Circuit Court that the said decree may be conformed so far as
it is herein reversed to be erroneous. And the parties are to pay
their own costs &c —

Daniel Phillips Exor
vs
Thomas Grey

The argument of this cause was
further continued by the Attorney
General for the defendant in Error
and by Mr Jones for the plaintiff.

Proclamation being made the Court is adjourned until
tomorrow morning at eleven Oclock —

Friday March 3d 1826.—

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Honorable John Marshall Chief Justice.

The Hon'ble: Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Thompson
Associate Justices.

Proclamation being made the Court is opened.—

On Motion first made to the Court, It is ordered that Moses Kingsley and Jeremiah Clarke Esquires be admitted to practice as an attorney and counsellor at this bar.—

69. Elisha R Potter &c vs Hannah Gardner &c Defts. This cause was continued until the next term on the motion of Mr Emmet for the appellant

Thomas H. Hall &c Pltfs vs Thomas Gray Deft. This argument of this cause was resumed and concluded by Mr Jones for the pltffs.—

Friday March 3d 1826 Cont.d

Henry Miller's heirs
appellants —
vs
John and Jacob W Kitzie
appellees —

appeals from the circuit court
of the United States for the
Kentucky District —
This cause was argued by Mr
Skipwith for the appellants
and Mr Talbot for the appellees —

Proclamation being made the Court is adjourned
until tomorrow morning at eleven o'clock —

Saturday March 4th 1826. 697.

Pursuant to adjournment the Court met this morning at the Courthouse

Present —

The Honorable John Marshall Chief Justice

The Honble: Bushrod Washington
William Johnson
Gabriel Duvall
Joseph Story
} Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court. It is Ordered that Luther Baxter John Lewis and Nicholas Eastman Esquires be admitted to practice as attorneys and counsellors of this Court —

The Dept of State Government
v. Nicholas Government Notes
&c &c

23.

Richard H. Robertson

The Court cannot on the certificate of division on opinion of the Judges of the Circuit Court of the United States for the Kentucky District, and was argued by Counsel on consideration whereof the Court are of opinion and direct it to be certified to the said Court that Judgment be entered for the Plaintiff in the said Circuit Court &c —

Saturday March 14th 1826. Cont.d

10. Allen Armstrong vs Knight & Tabor

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof this Court is of opinion that there is no error in the Judgment of the said Circuit Court and it is therefore ordered and adjudged that the same be and it is hereby affirmed with costs and with damages upon said Judgment at the rate of six per centum per annum from the date of the rendition of the same. —

Thomas Watson vs The State of Pennsylvania

Motion made in this cause to dismiss the writ of Error for defect of Intimation by Mr Talliat for the defendant —

Robert Barnes, Henry F Williams & Thomas Knox vs The State of Pennsylvania

Motion made in this cause to dismiss the writ of Error for defect of Intimation by Mr Talliat for the defendant —

Henry Wallis Hines vs John & Jacob McIntire

The argument of this cause was further continued by Mr Talliat for the defendant. —

Proclamation being made the Court is adjourned until to-morrow Morning at eleven O'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honorable Gabriel Duvall Associate Justices
Joseph Story
Smith Thompson

Whereupon the following Order was made the Court is offended

On motion it is ordered that the Court do assign Richard S Thomson Esquire the admitted Solicitor and Attorney and Counsellor at this Court.

The Ship Maria and Elam Champe claimants and appellants

vs

The United States and the officers and crew of the United States Ship of War Alligator Robert F Stockton Libellant and appellee

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Massachusetts District and was argued by counsel. On consideration whereof the Court is of opinion and doth order and adjudge and decree that the decree of the said Circuit Court be and the same is hereby affirmed with costs.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.—

Tuesday March 7th 1826

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Hon'ble. Gabriel Duvall } Associate Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened —

On motion first made to the Court it is ordered that Henry Hitchcock Esquire be admitted to practice as an attorney and counsellor of this Court —

Conrad. Peles
&
The Trips of Thomas Boulden & others

This cause came on to be heard upon the Transcript of the Record of the Circuit Court of the United States for the District of West Tennessee and was argued by counsel, on consideration whereof this Court is of opinion that there is error in the judgment of the Circuit Court, wherefore it is ordered and adjudged that the same judgment of the said Circuit Court be and the same is hereby reversed, and it is further ordered that the cause be remanded to the said Circuit Court with directions to issue a mandate to the

Tuesday March 7th 1826. Cont.d

100 John E Regan
vs.
Joseph Parker
William Parker &
John Knight Colough

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Mary. Lower District. On consideration whereof this court is of opinion that there is no error in the judgment of the said Circuit Court, and it is therefore ordered and adjudged that the same be and it is hereby affirmed with costs and with damages at the rate of ten per centum per annum from the date of the reversion of said judgment &c—

Ann Thanks & others
vs.
Abraham Lefevre & wife & others

The appeal in this case was dismissed for want of regularity. —

The United States
vs.
John Taffan and others.

This case was argued by Mr Blake and Mr. Attorney General for the United States and by Mr Webster for the defendant. —

Thos. & Jos. Williams
Ex'rs vs.
The Bank of the U States
and
Peter Mills
vs.
Bank of the U States

These causes were argued by Mr Knight for the Plaintiffs.

Proclamation being made the court is adjourned until

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
The Honble: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson — Associate Justices

Proclamation being made the Court is opened —

Upon the motion of William Patterson Esq. for Elisha Winn who

35

This cause came on to be heard on a certificate of division of opinion of the Judges of the circuit Court of the United States for the Georgia District, and was argued by Counsel. On consideration whereof this Court is of opinion and doth order it to be certified to the said Circuit Court that the evidence offered in the Court below, by the plaintiff, and to the admissibility of which objections were made, was upon both grounds upon the opinions of the Judges of said Court were opposed was competent evidence on the part of the plaintiff to sustain the issue on his part to —

Wednesday March 9th 1836 Court

Micajah T. Williams Cas Mo The Bank of the U. States and Peter Wells Cas Mo The Bank of the U. States	The argument of these cases was continued by Mr Webster for the defendants. —
Hiram Young Watkins Cas Mo The State of Missouri and Robert Lyons Cas Mo The State of Missouri and Thomas Watson Cas Mo The State of Missouri	The Court discharges the motions made to dismiss the writs of Error in these cases, they having been brought regularly before the Court. —
Salomon Etting Cas Mo The Bank of the U. States	This case came on and was argued by Mr Taney for the plaintiff. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. —

Thursday March 9th 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Gabriel Duvall Assistant Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.—

Application was made to the Court by the Hon'ble Philip P. Barbour Esquire for admittance to practice as an attorney and counsellor of this Court.

John Quincy Adams
vs
Bank of United States

The argument of this cause was continued by Mr Emmet for the defendant.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

Friday March 10th 1826.

Pursuant to adjournment the Court met this morning at the Capitol.

PRESENT —

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson — associate
The Honble: Gabriel Duvall: Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

Martin Mulkey vs. Griffin

34 vs.

John Griffin Thomas Griffin and Mary his wife Hugh Morrison and Louisa his wife and Samuel P. Griffin heirs of Cyrus Griffin dec'd

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Kentucky and was argued by Counsel On consideration whereof this Court is of opinion that the Children of Cyrus and John P. Griffin took the property annexed to them in the will of Frances Peart deceased by families. This Court is therefore of opinion that the decree of the Circuit Court is erroneous inasmuch as it annexes the said property to be divided among the said Children per Capita and not per stirpes and ought to be reversed and this Court doth so far reverse the same and in all things else is affirmed. And the cause is remanded to the said Circuit Court that it may proceed

The United States
"
vs
William Keller, Peter
Snyder & William Fowler

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This cause came on to be heard on the
record upon a certificate of
a division in opinion of the
Judges of the circuit court
of the United States for the
Eastern District of Pennsylvania upon the following
points & proper to the arguments in a cause now pending
& judgment &c. "That the act of Congress does not
define the offence of misdemeaning a mate a master &c
it is not sufficient to the court to give a judgment of
conviction of any offence whatsoever." (See Cause determined
Whereof this court as of opinion and does certify
to the said circuit court that the
act of Congress does not define the offence it is not
sufficient to the court to give a judicial definition
of it. And this court is further of opinion that the
offence stated in the indictment consists in the misdemeanor
of the crew of a vessel or any one or more of them to
assert them the legal & authority of her commander
with intent to remove him from his command or
against or against his will to take for a purpose of the
vessel by assuming the government and navigation
of her or by transferring them obedience from the lawful
commander to some other person. —

Friday March 10th 1826. Cont.a

1118

United States

vs

Juan Pueblito de Ortiga

This case came before the court upon a certificate of division in opinion of the Judges of the Circuit Court of the United States for the Eastern District of Pennsylvania On consideration whereof this court is of opinion and direct it to be certified to the Judges of the said Circuit Court that that court has jurisdiction of the matter charged in the indictment the case not being one which affects an Ambassador or other public Minister. —

1119.

United States

vs

Juan Pueblito de Ortiga

This case came before the court upon a certificate of a division in opinion of the Judges of the Circuit Court of the United States for the Eastern District of Pennsylvania On consideration whereof. this court is of opinion that and direct it to be certified to the Judges of the said Circuit Court that that court has jurisdiction of the matter charged in the indictment the case not being one that affects an Ambassador or other public Minister

Robert Grant and the assignee of Samuel Meredith

vs

John McRee for the use of the Bank of the Commonwealth of Kentucky —

Mr Mechlin of counsel for the defendant having suggested to the court that there is an omission in the Record in this viz That the order of the court giving leave to return the process [illegible]

Friday March 10th 1826. Court

The declaration of the Plaintiff is not enforced into the Record. And also on this say, that it does not appear in the records of aforesaid whatsoever alteration or extension was made in said demise or what was the length of the original demise in said declaration. It is ordered that a certificate issue to the Circuit Court of the United States for the Kentucky district requiring it to certify to this Court the matters aforesaid. —

Solomon Etting vs. Bank of N. States	The argument of this case continued by the Attorney General for the defendant.
Elisha S. Barnes vs. Oliver Williams	This cause was argued by Mr. Hitchcliffe and Mr. Isaacs for the defendant. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

710. Saturday March 11th 1826.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	William	Johnson	associate
The Honble:	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the court is opened —

William Fowler surviving partner &c
vs
41. The Corporation of Alexandria —

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia and County of Alexandria and was argued by Counsel. On consideration whereof this Court is of opinion that there is error in the Judgment of the said Court and it is therefore ordered and adjudged that the same be reversed and holden for nought and it is further ordered and adjudged that the cause be remanded to the said Circuit Court with directions to award a venire facias de novo. —

27. Stephen Harding et ab. vs Asa Handy and Caleb Wheaton appellees

and

28. Asa Handy appellant vs Stephen Harding et al appellees

These causes came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Rhode Island and were argued by Counsel. On Consideration whereof this Court is of opinion that there is no error in the interlocutory decree nor in so much of the final decree as affirmes and confirms the report made by the Master Commissioner but there is error in so much thereof as directs a sale of the premises therein mentioned until the heirs who are known to be interested in the said premises not being made parties and so not being known or alledged that they could not be made parties. So much of the said decree therefore as directs a sale of the premises in the bill mentioned is reversed and annulled and the residue thereof is affirmed, and the cause is remanded to the said Circuit Court with liberty to the plaintiffs to make all proper parties that the whole may be sold if all the heirs can be made parties otherwise the shares of such as are made parties. Each party to bear his own costs in this Court.

Saturday March 11th 1826 Cont.a

Solomon Etting vs Bank of United States	The argument of this case continued and concluded by Mr. Webster for the plaintiff.
Elisha L. Barnes & others vs Oliver L. Williams	The argument of this case continued by Mr. White for the defendant

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	associate
The Honble:	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened

On motion first made to the Court It is ordered that Robert J. Taylor Esquire of Orange County be admitted to practice as an attorney and counsellor of this Court. —

Elisha H Parmes Exrs	The argument of this cause
vs	was continued by Mr
Oliver Williams	Talbot on behalf of the
	Plaintiffs. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. —

Tuesday : March 14th 1826.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	associate
The Honble.	Gabriel	Duvall	Justices
	Joseph	Story	
	Smith	Thompson	

Proclamation being made the Court is opened —

On Motion first made to the Court It is ordered that E. F. Lehaunkers and H. I. Ticas Esquires of Maryland be admitted to practice as attornies and counsellors of this Court —

89. Peter Mills
vs
The Bank of the U States

This case came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the Ohio District and was argued by counsel On consideration whereof this Court is of opinion that there is no error in the proceedings and Judgment of the said Circuit Court and does therefore affirm the same and it is hereby affirmed with costs. and 3 per cent damages —

Tuesday March 16th 1826. Court 715

41. Henry Miller's Lessee
appellants
vs
John and Jacob McPherson
appellees

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was argued by Counsel.

On consideration whereof this Court is of opinion that the right of the plaintiffs was prejudiced by the not giving further time to the owners of the lands to survey the same and for returning plats and certificates to the Register's office bearing on the 29th day of 1797 and that the survey on which the patent was founded was made in time. This Court doth therefore reverse the decree of the Circuit Court dismissing the bill of the plaintiffs, and do order remand the cause to the said Circuit Court that further proceedings may be had therein according to Equity and that liberty may be given to the parties to take further Testimony.

42. Margaret F. Williams
vs
Bank of the United States

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Ohio District and was argued by Counsel. On consideration whereof this Court is of opinion that the Court of Error in this case was irregularly opened, and does therefore order that the same be and it is hereby dismissed

Tuesday March 14th 1826. Cont?

Elisha L. Barnes
Edwin Barnes
Bennet Barnes &
Phoebe Barnes &
John Barnes Esq
Next friend
Elisha L. Barnes
vs
Oliver Williams

This cause came on to be heard on the certificate of the division in opinion of the Judges of the Circuit Court of the United States for the District of West Tennessee, and was argued by Counsel. On consideration whereof this Court is of opinion and does order it to be certified to the said Circuit Court that the memorial of the Jury is insufficient to enable this Court to decide the question upon which the opinions of the said Judges were opposed, and with directions to the said Circuit Court to issue a venire facias de novo.

50

Henry Lacock administrator
of Sanders Browning
vs
Charles Carroll of Carrollton

The argument of this cause was continued by Mr Taney and the Attorney General for the defendant in

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.—

Wednesday March 15th 1826.

717

Pursuant to adjournment the Court met this morning at the Capitol

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble Gabriel Duvall Associate Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

Henry Lee & admr of Lessee Browning
vs
Charles Conrad & Earl Co

The argument of this case was continued by the Attorney General for the defendant & by Mr Chesterton in reply for the plaintiff —

Carnochan & Mitchell appts
vs
Chrystie & Jennes appellees

This cause was argued by Mr Chesterton for appellants —

Wednesday March 15th 1826 Cont?

Robert Rankin and John P Shalgell
vs
Robert Peall

This cause came on and was argued by Mr Benton for the Plaintiffs. and by Mr Talbot for the defendant. —

Proclamations being made the Court is adjourned until tomorrow morning at eleven Oclock —

Thursday March 16th 1826.

Pursuant to adjournment the Court met this morning at the Hospitals

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
The Honble William Johnson associate
Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

The United States
vs
51. John Taffan & others

This case coming on to be heard on the certificate of the differences in opinion of the Judges of the Circuit Court of the United States for the Massachusetts District and was argued by counsel. On consideration whereof this Court is of opinion and direct it to be certified to the said Circuit Court that the words true value in the 11th sec of the act of Congress of the 20th of April 1818 do mean the actual cost thereof to the importer at the place from which the same were imported: and that the second question upon which the opinion of the said Judges were opposed may be thus stated whether if the estimated and manufacturers cost thereof at the place from which

which they were insufficient, but did not perfect that they were invoiced below their true and actual cost thereof to the insufficiency. the collector had a right to direct an affirmance? he answered in the negative; and so also direct it to be certified that the third Question on which the opinions of the Judges were opposed was, that whether if in the opinion of the collector there was just ground to suspect that the goods were invoiced below the current market value of the same at the place from whence they were imported, then the said collector had a right to direct the same to be appraised in the manner prescribed in the 11th section of the before mentioned act of Congress? he likewise answered negatively.

Solomon Etting
vs
Bank of United States

19.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by counsel on consideration whereof this Court is of opinion that there is no error in the proceedings and judgment of the said Circuit Court and does therefore order and adjudge that the said Judgment be and the same is hereby affirmed with Costs. It is agreed on the part of the defendant in Error that the judgment in this cause shall not operate in any other cause notwithstanding any other agreement made between the parties to that effect.

Motion made by Mr Meredith for a reargument of the cause at the next Term.

Vide - 3rd/3 of 1830 and 4th/3 of 1834

Joseph Maduro Rivas
Consul of Spain
vs
The United States

A Mandate bearing date the 13th
to the Circuit Court of the
United States for the District
of Georgia, to cause into execu-
tion the decree of this Court
pronounced at the February Term in the year 1825 to ascer-
tain certain Africans in the said decree mentioned to be
Spanish claimants, under the Treaty of this Court having
been directed on affirmation respecting the power of ascer-
taining the said Slaves to be returned, and in general
therein from others to be witnesses to the United States who
then the same should be made by Sale upon proof on
the part of the Spanish claimants It is ordered
by the certificate to the said Circuit Court of Georgia that
in executing the said Mandate, the Africans to be de-
livered to the Spanish claimant must be ascertained
by proof made to the satisfaction of that Court —

Samuel Swan & Mitchell
appellants
vs
Christopher T. Sommers
appellees —

The argument of this cause was
continued by Mr Mitchell for
the appellants and by Mr Ogden
and Mr Emmet for the appel-
lees —

Proclamation being made the Court is adjourned
until tomorrow morning at eleven o'clock —

Friday March 17th 1826.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble Gabriel Duvall } Associate Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened.

Gilbert Cockers
administratrix &c
vs
The Bank of Columbia

80.

On motion of Mr Key for the defendant and by consent of Mr Hoffman for the plaintiff. It is ordered and adjudged that the Judgment of the Circuit Court of the District of Columbia for the County of Washington in this case be and the same is hereby affirmed with costs.

Cranch & Mitchell
appellants
vs
Charles A. Lemmon
appellees

The argument of this case commenced by Mr Emmet for the appellees.

Friday March 17th 1826. Term 10 798.

The United States
vs
John B. Armedy

The argument of this case commenced by Mr. Washington for the defendant.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Saturday March 18th 1826

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honorable: Gabriel Duvall Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened &c

The motion first made this Court to be informed that Thos B Reed Esquire be admitted to practice as an attorney and counsellor of this Court &c

John Shelby Anthony
B Shelby & Robert Austin
Executors of Isaac Shelby dec'd
vs
Thomas Lyon.

39.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of West Tennessee and (was argued) by counsel

On consideration whereof, it appears to this Court there is error in the Decree rendered in this cause by the Court below in this, that the Court below has decreed & annulled an Act of

The United States
vs
Jab B Lively

The argument of this cause continued and concluded by Mr Crittenden for the appellant and Mr Key for the United States who filed a brief for the appellant on reply —

Edmund F Kennett
vs
Thos Ramsay Executors
Thos Administrators

This cause was argued on Mr Webster for appellant and by Mr Peebles for appellee and by Mr Leslie in conclusion and on reply —

Henry Markham
vs
Lucy B. Markham

On motion of Mr Woodbridge for the appellee it is ordered that the plaintiff in error show cause on the first day of the next Term why the mandate of this Court should not be amended nunc pro tunc —

Reuben Markham
vs
Lucy B Markham

On Motion of Mr Woodbridge for the appellee it is ordered that the plaintiff in error show cause on the first day of the next Term why the mandate of this Court should not be amended nunc pro tunc. —

(See page 735.)

Saturday March 18th 1876 Cont'd

Patent Mantua
vs
Lucy L Markham

On motion of Mr Hinchliff for the applicant it is ordered that the Plaintiff in Error shew cause on the first day of the next Term why the writ of Error should not be dismissed with costs.—

Proclamation being made the Court is adjourned until Monday Morning next at eleven o'clock.—

Monday March 30th 1896.—

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
Horace Gray
William Johnson
The Honble Stephen J. Field
Joseph McKenna
Rufus Peckham
David J. Brewer
Henry B. Brown
Edward D. White
Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court it is ordered that Wm. H. Allen of the Territory of Florida and Walter Reade first of Philadelphia Esquires be admitted to practice as attorneys and counsellors of this Court.—

Henry Louis et al
of Louisiana Plaintiffs
in Error
vs
Charles Lewis et al Defendants

The same cause coming on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel.

On consideration whereof it appears to the Court that there is no error in the Judgment of the said Circuit Court and same therefore is ordered and adjudged that the same be and it is hereby affirmed with Costs.—

Monday March 20th 1826 Court

Joshua Singleton & Nancy his wife
William Gibson & Polly his wife
Thomas Wiatt and Peggy his wife
Moses Gibson and Betsy his wife
Edward Simpson & Susannah his wife
Thomas Winn Mary Winn Solomon
Winn John W. Winn & Betsy
Winn Susanna D. Bannon
Mary D. Bannon Ambrose
Jacob Richard Minor W
& Bushrod C. Bannon Samuel
Winn Minor Winn & Thomas
W. Winn heirs of Minor
Winn deceased

To

Jonathan Jackson John
Miller Abner Holton and
Daniel Durham

The plaintiffs in error by
W. Talbot having sug-
gested the death of Jon-
athan Jackson one of the
defendants in error and
also that William Jack-
son Daniel Jackson
Solomon Jackson Wil-
liam Burns and Polly
Jackson his wife which said
Polly is one of the heirs
of the said Jonathan Jac-
kson Sepa Temple and
Peggy his wife which
said Peggy is one of the
heirs of the said Jonathan,
Timothy Mallory and
Patsy his wife which
said Patsy is one of the
heirs of the said Jonathan under Maxwell Monroe & Nelson Monroe who intermarried with Polly Jackson deceased who was one of the heirs of Jonathan Jackson. It is ordered by the Court that unless the said Representatives of the deceased shall become parties within the first ten days of the ensuing Term of this Court the plaintiffs in Error shall be entitled to open the Record and on hearing have the same reversed if it be erroneous. Provided however that a copy of this

order shall be printed in some newspaper, at the Seat of Government in which the Laws of the United States shall be printed by authority, at least three months before the beginning of the next succeeding Term of this Court.

Ordered accordingly

Ordered that the Court do adjourn until the succeeding Morning at eleven o'clock.

730 Tuesday March 21st 1826

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
William Johnson
The Honble. Gabriel Duvall Associate
Joseph Story " Justices
Smith Thompson

Proclamation being made the Court is opened —

The United States
vs
136. John B Ormsby

This cause came on to be heard on the certificate of division of opinion of the Judges of the Circuit Court of the United States for the District of Virginia and was argued by Counsel. On consideration whereof. It is adjudged and ordered by the Court that it be certified to the said Circuit Court that the points of law ruled by the said Circuit Court at the trial of the cause and upon which upon the motion for a new trial the same Court were divided in opinion were in all respects correctly decided by the said Court at the said trial. —

John Cunningham & Peter Mitchel appellants. —

vs

29.

William Blount & William Turner appellees. —

This cause came on to be heard on the Transcript of the Record of the Court of the United States for the Eighth Circuit and District of Georgia, and was argued by Counsel, On consideration whereof this Court is of opinion that there is error in the decree of the Circuit Court in affirming the award made by the Arbitrators in this cause which said award ought to have been set aside, because the same is uncertain and not final — It is therefore decreed and ordered that the said decree be reversed and annulled and that the cause be remanded to the said Circuit Court with directions to set aside the said award and to take such further proceedings in the said cause as may be equitable and just —

Proclamation being made the Court is adjourned to the first Monday in December next —

August Term 1876

735-7

At a Session of the Supreme Court of the United States begun and held at the Capitol of the United States in the City of Washington, being the present seat of the National Government of the United States on the first Monday of August (being the ___ day of the same month) in the year of our Lord one thousand eight hundred and seventy six and of the Independence of the United States the Hundredth and Fifty first pursuant to the Statute in such case made and provided

The Honorable ___ One of the Associate Justices of the said Supreme Court and Resident of the fourth Circuit in the State of Maryland was present and the Clerk of the said Supreme Court attending.

It is ordered by the said Judge that the following entries be made on the following volume, to wit —

	William Campbell Executor	Continued from last Term
1.	vs	
	Paul Turner et al	Continued
	George M Upton Exr	Continued from last Term
2.	vs	
	Turner et al	Continued

August Term 1806.

	Isaac G. Pearce Jr. & James Carter vs	Continued from last Term
3	Richard N. Harrison & Gabriel L. Timms	Continued —
	Philemon R. Starr & Garret Smith vs	Continued from last Term
4	Thomas Tennant & Charles Richardson	Continued —
	Samuel Howard vs	Continued from last Term —
5	Achilles Onfroy	Continued —
	Amos Edwards Pipe vs	Continued from last Term
6	Felix Grundy & others	Continued
	The United States and the officers &c of the Schooner Grampus — vs	Continued from last Term
7	The Brig Palmyra	Continued —

August Term 1826.

	Oliver Williams vs	Continued from last Term
8	Ezekiel Morris	Continued
	George W. Campbell vs	Continued from last Term
9.	Ezekiel Morris	Continued
	The President & Directors of the Merchants Insurance Company vs	Continued from last Term
10.	William Peele & others	Continued
	James Jackson use &c vs Enoch B. Lake	Continued from last Term
11.	Robert Gilmor	Continued
	John Hawkins & Williams May vs	Continued from last Term
12	Joshua Barney's Libel	Continued
	Allan McLane Libl of moiety of cargo of Ship "Good Friends" vs	Continued from last Term
13.	The Hunter Libl	Continued

August Term 1830 —

	Robert Y. Ram	Continued from last Term
11.	Ephraim Robins	Continued
	Robert Rankin &	Continued from last Term
	John P. Schatzell	
15.	Robert Scott	Continued
	John Gaegler	Continued from last Term
16	The Union Bank of	
	George Town	Continued
	John Clay	Continued from last Term
17	Abraham Smith	Continued
+	James & Henry Mc	Continued from last Term
	M. Lamen	
18.	Edward Featherstone	
	Esthers —	Continued
	Robert Fairchild Jr.	Continued from last Term
19.	Samuel Mc Lane Esthr	Continued. —

+ Edward & Samuel Continued from last Term

17. James Ramsay & Others Continued

20	Joseph Smith vs	Continued from last Term
	Adams Herbert Hall	Continued
21	Richard B Alexander & Wm Alexander vs	Continued from last Term
	The Bank of Potomac	Continued
22	John Linton admr of Geo Beard vs	Continued from last Term
	Charles Fenwick admr	Continued
23	Richard M Scott vs	Continued from last Term
	Samuel Threlkeld Jr	Continued
24	The Columbian Insurance Company of Alexandria vs	Continued from last Term
	Edmund Fenwick use Simms	Continued
25	Sebastian Calarke vs	Continued from last Term
	The Incorporation of Washington	Continued

	Bank of United States	Continued from last Term
26.	vs	
	Julius B. Cunningham & others	Continued
	Daniel F. Scholands Exors & heirs —	Continued from last Term
27.	vs	
	Alexander Pope and William B. Patton — M.S. —	Continued —
	Michael F. Martin — M.S. —	Continued from last Term
28.	vs	
	James Rathbun	Continued
	Michael F. Martin — M.S. —	Continued from last Term
29.	vs	
	John E. Matt	Continued —
	George M. Mann	Continued from last Term —
30.	vs	
	Thomas P. Devereux	Continued —
	John Dixons Exors	Continued from last Term
31.	vs	
	Richard Dallams heirs	Continued
	Celesta R. Fuller	Continued from last Term
32.	vs	
	Jeremiah Jarvis & others	Continued —

August Term 1836. —

John Edmonds vs Thos
Claimants of Galvs Silver. Continued from Last Term
33 Do

J J Vasques Consul
General of Portugal Continued. —

George Minor vs Thos Continued from Last Term
34. Do

The Merchants Bank
of Alexandria Continued

Dunsphee St Amand Continued from Last Term
35. Do

John Bonnegee Continued

Dunsphee St Amand Continued from Last Term
36. Do

John Bonnegee Continued

William Hunter Continued from Last Term
37 Do

William Hogan Continued

John Taylor Continued from Last Term
38. Do

The Central Bank Continued —

	Sundry African Slaves the Property of Georgia Claimants —	Continued from last Term
39	vs	
	Dean (Madrazo	Continued —
	The Governor of Georgia	Continued from last Term
40	vs	
	Sundry African Slaves. Dean (Madrazo	do
	Claimant —	Continued. —
	Kosciusko Armstrong	Continued from last Term
41	vs	
	Benjamin D. Dean admr of Thaddeus Kosciusko Peters	Continued. —
	Alexander (McConnell,	Continued from last Term
42	vs	
	The Trustees of the Town of Lexington	Continued
	John Harrison and Joseph Tourat ofc: ba. of John K. Platt	Continued from last Term
43	vs	
	William Taylor Jr. one of the State Bank at Camden. —	Continued. — —

August Term 1826.

Richmond [illegible] Tate		Continued from last Term
44	do	
Benjamin Shreve		Continued —
Middendorf Executor		Continued from last Term
45	do	
Robinson Administrator		Continued
Stephen Hemmeon		Continued from last Term
46	do	
George Farmers Exr		Continued
William Executors Estate		Continued from last Term
47	do	
Isaac Gaillard Exr		Continued
Henry Riggle & Alexander Ferguson		Continued from last Term
48	do	
Estate of John Smith Sr		Continued
Estate McKay		Continued from last Term
49	do	
Joseph S Thompson admr of Joseph Stevens		Continued —

August Term 1816 —

William Montgomery		Continued from last Term
50	do	
Casper Vermaneyden		Continued —
Emma Mason &c		Continued from last Term
51	do	
Nathan Hale		Continued
Henry Martin		Continued from last Term
52	do	
Tim. L. Markham		Continued
Hamilton Martin		Continued from last Term
53	do	
Lucy L. Markham		Continued
Rhodes Martin		Continued from last Term
54	do	
Lucy L. Markham		Continued
Turner Sharpe's heirs		Continued from last Term
55	do	
Jonathan Jackson Exr		Continued
The United States		Continued from last Term
56	do	
Priscilla Barker admx of Abraham Barker		Continued —

57.	The United States vs. Priscilla Barker admx of Abraham Barker	Continued from last Term Continued
58.	The United States vs. Priscilla Barker admx of Abraham Barker	Continued from last Term Continued
59.	The United States vs. Priscilla Barker admx of Abraham Barker	Continued from last Term Continued
60.	Theodore Sterton & others vs. The City Council of Charleston	Continued from last Term Continued
61.	Francis Buel vs. The United States	Continued from last Term Continued
62.	Arthur W. Magill & others vs. Bank of United States	Continued from last Term Continued.

August Term 1806

Daniel Parker		Continued from last Term
63.	No	
The United States		Continued
John Thompson		Continued from last Term
64	No	
George Peter & L. R. Johns adms & B.M. of James Peter.		Continued
George Mason & Alexander Moore		Continued from last Term
65.	No	
Matilda Lenoch for herself & her children		Continued
Robert M. Newman		Continued from last Term
66.	No	
Joseph Jackson		Continued
Daniel Bonnells of Scott		Continued from last Term
67.	No	
Joshua Peake		Continued
James Kennedy		Continued from last Term
68.	No	
John Taylor		Continued — .

	James D. Breckenridge & Archibald D. Sim	Continued from last Term
69.	vs	
	Bank of United States	Continued :—
	Randolph Harrison	Continued from last Term
70.	vs	
	James Hopkirk surviving partner &c. —	Continued —
	John G. M'Simon	Continued from last Term
71.	vs	
	Daniel Parker & Wm Vans	Continued —
	The United States	Continued from last Term
72.	vs	
	Robert Tillotson and Nicholas Gouverneur Survivors &c	Continued
	Alexander Lenlaf and the heirs of James Lenlaf	Continued from last Term
73.	vs	
	John Lenlaf	Continued
	Adam Wallace & Wm Vans	Continued from last Term
74.	vs	
	Thomas S. Kinder	Continued. —

August Term 1826.—

	Dispn of Stephen Sicard & others	Continued from last Term
75.	Nancy Davis & others	Continued.—
	Dispn of Stephen Sicard & others.—	Continued from last Term
76.	John Cecil & others	Continued
	John Mc Innis Dispn	Continued from last Term
77.	John Christian	Continued
	James L. McKenna & others.—	Continued from last Term
78.	The Bank of Potomac	Continued
	James Finley & others	Continued from last Term
79.	Thomas S. Kennedy Heirs	Continued
	James Ramsay	Continued from last Term
80.	John B. A. Allegre	Continued.—

81.	Richard Drummond surviving partner &c vs Robert Denman & others Executors of Geo. Peirce an	Continued from last Term Continued. —
82.	Alexander Brown & others vs The State of Maryland	Continued from last Term Continued —
83	The United States vs Francis B. Threll	Continued from last Term Continued
84.	William H. Wallace vs The United States	Continued from last Term Continued. —
85.	Reuben M. Whitney vs The United States	Continued from last Term Continued
86.	William Pentlop vs John M'Kim Jr	Continued from last Term Continued. —
87.	Robert Perry vs	Continued from last Term

August Term 1816.—

	The Bank of Georgetown	Continued from last Term
87.	vs	
	Triplett & Neale	Continued
	Benjamin Orme & John B. Gilmore.	Continued from last Term
89	vs	
	William G. Gaynes & another	Continued —
	The Columbian Insurance Company of Alexandria	Continued from last Term
90.	vs	
	Charles J. Catlett	Continued
	Anthony Caseaux & Wife	Continued from last Term
91.	vs	
	Joseph Smith	Continued. —
	Joseph Manaville	Continued from last Term
92.	vs	
	Hoby & Buckley	Continued
	The Mechanics Bank of Alexandria	Continued from last Term
93.	vs	
	Evan P. Taylor & others	Continued —

	The Mechanics Bank of Alexandria	Continued from last Term
94.	vs	
	Louisa A. Ann M. Lenton by A. F. their Next Friend Guardian	Continued
	Charles Glover	Continued from last Term
95.	vs	
	William Morton	Continued
	Charles Glover	Continued from last Term
96.	vs	
	Queen & Langstreth	Continued
	James Greenleaf	Continued from last Term
97.	vs	
	Washington Bowie Executor and administrator	Continued
	George R. Gunton	Continued from last Term
98.	vs	
	The Farmers & Mechanics Bank of Georgetown	Continued
	William Hunter	Continued from last Term
99.	vs	
	The Bank of Washington	Continued

732. August Term 1876. —

	Robert Banks Expts	Continued from last Term
100	vs	
	The Bank of Metropolis	Continued —
	Post Master General of The United States	Continued from last Term
101	vs	
	Eliza Emily Tolson	Continued
	Lusseau ao la Croix	Continued from last Term
102.	vs	
	Henry N. Chamberlain	Continued
	Lefe & Daniel, Tolson	Continued from last Term
103	vs	
	Christian & Williamson Tolson —	Continued
	The President and Directors of The General Mutual Insurance Company	Continued from last Term
104.	vs	
	Nathaniel F Ruggles	Continued —
	James Mathews heirs & Representatives	Continued from last Term
105.	vs	
	Robert Hankes heirs	Continued —

	Abraham F. Pennock & another —	Continued from last Term
106.	vs	
	Adam Dialogue	Continued —
	Barnetus Comegys & another	Continued from last Term
107.	vs	
	Ambrose Harper	Continued —
	Henry Vaughan Esther	Continued from last Term
108.	vs	
	Peter of Four Kidlings mother Esther —	Continued
	Daniel Rhea Esther	Continued from last Term
109.	vs	
	Daniel Renner	Continued —
	Fernando de la Maza Arredondo Executor &c	Continued from last Term
110.	vs	
	Harper Ward	Continued
	Buck & Hedrick	Continued from last Term
111.	vs	
	The Schuylkill Insurance Company	Continued —

August Term 1896.—

	The Farmers Bank of Virginia vs	Continued from last Term
112.	The United States and Edward Whitehead vs	Continued
	The United States vs	Continued from last Term
113.	Charles K. Mallory's administrator vs	Continued.—
	Thomas Fortune Ryan and others vs	Continued from last Term
114.	The Universal Insurance Company.—	Continued.
	William G. Buckner vs	Continued from last Term
115	Thomas Fenby Hamilton	Continued —
	James H. Keaton's devisees vs	Continued from last Term
116	Martin Baker vs	Continued.—

	Christian Breckenridge & another	Continued from last Term
117	vs	
	The Bank of the State of Georgia	Continued
	John Morel & another	Continued from last Term
118.	vs	
	Post Master General of the United States	Continued
	The United States	Continued from last Term
119.	vs	
	Samuel Acre & others	Continued
	John Lamiss & others	Continued from last Te...
120	vs	
	Richard B Mason's Lessee. —	Continued
	Old Grant ons dem Samuels Monmouth	Continued from last Term
121.	vs	
	John McKee for the use &c	Continued
	Samuel McMullen Tenant	Continued from last Te...
122	vs	
	John Mathews & others	Continued

August Term 1826

James Elliott & others		Continued from last Term
123	vs	
Williams Peacock & others		
Dismissed		Continued —

James Henderson Senr.		Continued from last Term
124	vs	
Edwards Redman		Continued —

The Mutual Insurance Company of Alexandria		Continued from last Term
125	vs	
Alexander Simms		Continued

The Bank of Columbia		Continued from last Term
126	vs	
Peter Wagner		Continued

The United States		Continued from last Term
127	vs	
The Saline Bank of Virginia —		Continued

William Kemp		Continued from last Term
128	vs	
William Bayard & others —		Continued —

129	Garret Fehrmeldpennick vs William Boyce & Nathan	Continued from last Term Continued
130	Stephen Maring vs James Jackson ex dem Michael Van Valkenburgh	Continued from last Term Continued —
131	Stephen Maring vs James Jackson ex dem Michael Van Valkenburgh	Continued from last Term Continued
132	Polly Fowles & Wife vs Bank of Columbia	Continued from last Term Continued
133	Robert Barry vs Thomas Fowles	Continued from last Term Continued
134	The Columbian Insurance Company of Chittenango vs Richard Gardner	Continued from last Term Continued —

August Term 1826.

135	Hiram Young & others vs The State of Mississippi	Continued from last Term Continued —
136	Robert Fabens & others vs The State of Mississippi	Continued from last Term Continued
137	Thomas Matson vs The State of Mississippi	Continued from last Term Continued
138	The United States vs Nicholas Standley & another	Continued from last Term Continued
139	Charles M'Carthaus vs Francesco M'Grady Foran & another	Continued from last Term Continued
140	Julia Mc Forrest admx of Edward M. Mc Forrest vs Paul Labaron Spanish Consul —	Continued from last Term Continued —

141	Jonathan Hunting vs Amos & Forgett	Continued from last Term Continued —
142.	Insurance Company of New York and Ocean Insurance Company. ——. vs The Bank of South Carolina Claimant	Continued from last Term Continued —
143.	Thomas Pratt Collector of Lipscomb vs Sarah Pratt	Continued from last Term Continued —
144	Post Master General of the United States vs Peter Lee and others	Continued from last Term Continued —
145.	Montgomery Bank vs Charles Hill & others	Continued from last Term Continued —

760. August Term 1826. —

116.	Sarah Wollstonecraft vs Nancy K Wollstonecraft	Continued. —	

Filed Annexation being made the Court is adjourned to the first Monday in September next. —

January Term 1827

At the Capitol of the United States in the City of Washington and District of Columbia during the present Term of the National Government of the United States on the second Monday of January (being the eighth day of the same month) in the year of our Lord One thousand eight hundred and twenty seven and of the Independence of the United States the fifty first The Supreme Court of the United States met agreeably to Law.

Present—

The Honorable John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall
The Honble Joseph Story Associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened

The Honorable Robert Trimble produced his Letters

January 8th 1817. —

The Court having been informed of the death of William Griffith Esquire Late Clerk of this Court — It is ordered that James Caldwell do officiate as Clerk until an appointment be made by the Court. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Tuesday January 9th 1827—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall } Associate
The Honble: Joseph Story } Justices
Thomas Thompson
Robert Trimble

Proclamation being made the Court is opened.

It is Ordered, That Nicholas Ridgely be Criers of this Court. —

The United States vs. The officers &c of The Schooner Grampus. —
&c.
vs
The Brig Palmyra

The argument of this case was commenced by Mr Key for the appellants and by Mr Jagersoll for the appellee.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock. —

Wednesday January 10th 1821.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice

Bushrod Washington
Gabriel Duvall — associate
Joseph Story — Justices
Smith Thompson
Robert Trimble

Miscellaneous Business being made the Court is adjourned.—

On motion ordered that it is ordered that Isaac C. Bates of Massachusetts, Simeon D. Fitch of the same State and James K. Polk of Tennessee Esquires be admitted to practice as attorneys and counsellors of this Court. —

The United States & the officers &c of the Schooner Apollon — vs. The Brig Palmyra

The argument of this cause was continued by Mr. Taylor for the appellee and by the Attorney General for the appellants. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'Clock. —

Thursday January 11th 1827 —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall
The Hon'ble: Joseph Story } assosiate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened —

On motion ordered by the Court, It is ordered that Alexander Bliss of Massachusetts and R. G. Leonard of Ohio Esquires be admitted to practice as attornies and counsellors of this Court. —

The United States vs the officers & crew of the Schooner Pamfus. — — —

No

The Phila. Insurance Co.

The argument of this cause was concluded on by the Attorney General for the appellants. — —

Samuel Vernon

vs

Hezekiah Swain

5.

The mandate of the Supreme Court in favour of Samuel Vernon was produced & it appearing that this writ has been duly

Thursday January 11th 1827.—

Oliver Williams
vs
Ezekiel Norris
and
George W. Campbell
vs
Ezekiel Norris

These causes were afterwards by Mr Emlen for the plaintiffs and by Mr Polk for the defendants.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Friday January 19th 1827 — 771

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall, chief Justice
Bushrod Washington
Gabriel Duvall
The Hon'ble: Joseph Story — associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened

On motion first made to the Court It is Ordered that David Barton Esquire be admitted to prac-tice as an attorney and counsellor of this Court —

Oliver Williams
vs
Ezekiel Norris
and
George W. Campbell
vs
Ezekiel Norris

These causes were fully argued by Mr Barton for the defendants and in reply by Mr White for the plaintiffs

Friday January 12th 1827 Court

William Brumfield's Executors — vs Pratt Francis & others	The argument of this cause was commenced by Mr Key for the appellants and by Mr Lewis for the appellees. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Saturday January 13th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice
Bushrod Washington
Gabriel Duvall
The Hon'ble Joseph Story Associate Justices
Smith Thompson
Robert Trimble

Proclamations having been made the Court is opened.

On Motion first made to the Court It is ordered that Samuel P. Ruggles Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court.—

Robert Trimble Pl
vs
Def
Same Pl
vs
Same Def

Writ of error to the Court of Appeals for the State of Kentucky dismissed with costs by the Court on motion of Mr Crittenden counsel for the Defendant in error.

Richard M. Alexander
&
Lee M. Alexander
vs
The Branch of Potomac

This cause came on to be heard on the transcript of the record and was argued by counsel.

Saturday January 13th 1827 Cont.

John Lucas admr of George Bennet vs Charles Tillies admr	This cause was argued by Mr Swann for the Plaintiff and by Mr Taylor for the defendant —
Richard M. Scott vs Benjamin Shreve	This cause was argued by Mr Swann for the Plaintiff and by Mr Taylor for the defendant —

Parol enrolment being made the Court is adjourned until Monday morning next at eleven O'Clock —

Monday January 15th 1827

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice

The Honorable: Joseph Story — Gabriel Duvall
William Thompson
Robert Trimble

Proclamation being made the Court is opened.

The motion first made to the Court by Mr. Wirt that Charles H. Winthrop of New York and Leslie Combs of Kentucky Esquires be admitted to practice as attorneys and counsellors of this Court. —

The United States v. The Schooner Crawford

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of South Carolina and was argued by counsel On consideration whereof it is ordered and decreed that so much of the decree of the said Circuit Court as decrees restoration of the Brig Polacca to the claimants be and the same is hereby affirmed. And that so much of the decree of the said Circuit Court as awards damages to the claimants

for

be and the same is hereby reversed and annulled and it is further ordered that said cause be remanded to the said Circuit Court for further proceedings to be had therein according to law. —

Robert Rankin & John P. Lobstzell vs Robert Scott	This cause was argued by Mr Benton for the plaintiffs and by Mr Pinkney for the defendants.
James V. Young 110. Mr Cannon vs Edmund Featherstone & others.	This cause was argued by (Mr) White for the appellants and by Mr Swann for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Tuesday January 16th 1827.

Pursuant to adjournment the Court met this morning, at the Enfield,

Present

The Honorable John Marshall, Chief Justice

The Honble: Bushrod Washington, William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson, Robert Trimble, Assistants Justices

Proclamation being made the Court is opened—

James S. Kemp &c
Mr. Kennon
vs
Edmund Featherstone
& others. —

The argument of this cause was continued by Mr. Leach for the defendants, and by Mr. White in conclusion for the Plaintiffs. .

George W. P. Mann
vs
Thomas P. Lemaire

This cause was submitted to the Court by the Counsel for both parties without argument. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday January 4th 1837.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice

	Bushrod Washington		
The Hon'ble	Joseph Story		Associate Justices
	Smith Thompson		
	Robert Trimble		

The Commission being made the Court is opened.—

Richard B. Alexander
vs
Fee Ux. Alexander
&
The Bank of Potomac

31.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by Counsel on consideration Whereof It is adjudged and ordered that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with cost and damages at the rate of ten per centum per annum.—

Mr. Chief Justice Marshall did not preside in this cause.—

John Leslie admr
of George Beard
vs
22. Carlyle F. Whiting
admr of Charles Tillo:

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by Counsel On consideration whereof it is ordered that the writ of Error in this cause be and the same is hereby dismissed with costs. It not appearing that this Court has Jurisdiction of said cause. —

George M. T. Mason
vs
30. Thomas P. Dennincy

This cause came on to be heard on the Transcript of the Records of the Circuit Court of the United States for the District of West Tennessee and on the Question of division in opinion of the Judges of the Circuit Court on consideration whereof. This Court is of opinion and direct it to be certified to said Circuit Court that this Court cannot entertain jurisdiction of the question on which the Judges of said Circuit Court were divided in opinion the same being upon the motion of the cause in the Court below. —

 Wednesday January 17th 1827 Cont'd

Richard S Martin
vs
James Rathburn
and
Richard S Martin
vs
Jacob E. Mott

These causes were argued by Mr Leggett for the plaintiffs and by Mr Ogden for the defendants

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Thursday January 18th 1827

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble: Joseph Story } assistant Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened —

Proclamation Crawford
vs
James Buchanan
and
Nicholas P. Trist
vs
Jacob E. Wall

The argument of these causes was continued and concluded by Mr. Attorney General for the plaintiffs —

Young Va Supreme Court
vs
James Simms

The argument of this cause was commenced by Mr. Ogden for the plaintiffs and by Mr. Webster for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Friday January 19th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble Joseph Story } associate Justices
Smith Thompson
Robert Trimble

Proclamation having been made the Court is opened.—

Oliver Williams
:
Ezekiel Morris

This cause came on to be heard on the Transcript of the Record of the Supreme Court of Errors and Appeals of the State of Tennessee and was argued by Counsel. On consideration whereof this Court is of opinion that there is no error apparent on the face of the Record of which this Court can take Jurisdiction. It is therefore considered by this Court that the writ of Error be dismissed and that the cause be remanded to the Supreme Court of Errors and Appeals of the State of Tennessee.—

9. George W. Campbell vs Elizabeth Means

This cause came on to be heard on the Transcript of the Record of the Supreme Court of Errors and appeals of the State of Tennessee and was argued by counsel On consideration whereof this Court is of opinion that there is no error apparent on the face of the Record of which this Court can take Jurisdiction - It is, therefore considered by this Court that the writ of Error be dismissed and that the cause be remanded to the Supreme Court of Errors and appeals of the State of Tennessee. —

George W. Ogden's Executors vs Lewis Powers

The argument of this cause was continued by Mr Hackett for the defendant —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Saturday January 20th 1827.

Pursuant to adjournment the Court (met this morning at the Capitol.

Present.

The Honorable	John Marshall		Chief Justice
	Bushrod Washington		
	William Johnson		Associate
The Honble	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.

Memorandum.

William Thomas Carroll Esqr. of the District of Columbia having been appointed Clerk of the Supreme Court of the United States by the Judges thereof, appeared before the Court this day, and took the oath of office prescribed by Law; and did also at the same time, give bond to the United States, in the sum of Two Thousand dollars, for the faithful performance of the duties of said office, with Daniel Carroll of Duddington Esquire as his Surety, which bonds is approved by the Court and ordered to be filed.

23. Richard M. Scott vs Benjamin Thorne

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was

by counsel. On consideration whereof It is Ordered Adjudged and Decreed that the decree of the said Circuit Court granting a perpetual injunction against Richard M Poole and enjoining the title as to the Bank of Potomac be and the same is hereby affirmed with costs. —

George Mc Ogeens Exrs vs Lewis Fenwicks

The argument of this cause was continued over, & ordered by Mr Pinkney for the Pltffs. —

Henry Martin vs Lucy C. Markham

Mr Nicholls proceeded to argue the Rule on the part of the Defendants, made in these causes at the last Term; having opened his argument, It is by consent of defendants Counsel. Ordered that the Rule be forthwith made. —

Henderson Martin vs Lucy C. Markham

and

Rhodes Martin vs Lucy C. Markham

Saturday January 20th 1827 Cont.a

Isaac L. Pearson Jr.s
Lewis Carter
vs.
Richard M. Harrison
Gabriel L. Lewis

The argument of this cause was opened by Mr. Simpson for the defendants. —

On motion first made to the Court. It is ordered that Hamell Hopkins Philadelphia Esquire, be admitted to practice as an attorney & counsellor of this Court —

Proclamations being made the Court is adjourned until Monday morning at eleven Oclock. —

Monday Morning January 22nd 1827.

Pursuant to adjournment the Court met this morning at the Capitol,

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble Joseph Story } Associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened

John Colay
vs
Abraham Smith

This cause was argued by Mr Jones for the plaintiff and further argued and concluded by Mr Kent for the plaintiff —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Tuesday January 23d 1827.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
The Hon'ble Joseph Story
Smith Thompson
Robert Trimble
} Associate Justices

The Proclamation being made the Court is opened.—

Robert Rankin and John F Whately
vs
Robert Peale

This cause came on to be heard on the Transcript of the Record from the Court of the United States for the District of Missouri and was argued by counsel on consideration whereof This Court is of opinion that there is error in the Judgment of the said Court in this, that the said Judgment on the Special Verdict found in the said cause is in favor of the defendant in error, Whereas in the opinion of this Court the law on the said verdict is for the plaintiffs in Error. Wherefore it is considered by this Court that the judgment of the said Court in said cause be and the same is hereby reversed and annulled and that the cause be remanded to the said Court with directions to render judgment on the verdict for the plaintiffs in error.—

John Colvin vs Abraham Smith	The argument of this cause was continued by Mr Hunt for the Plaintiff and by Mr Webster in conclusion for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Wednesday January 24th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Honorable John Marshall	Chief Justice.	
Bushrod Washington		
William Johnson		
The Hon'ble: Joseph Story		assoc'd Justices
Smith Thompson		
Robert Trimble		

Proclamation being made the Court is opened —

James Gibbons Defendant in Error	The argument of this cause was opened by Mr Pollard for the plaintiff in Error and continued by Mr Emmet for the Defendant in error, and concluded by Mr Pollard for the Plaintiff in Error. —
vs	
Riley Gurney & Ux Plaintiffs	

James Jackson & ux: Appellants	The argument of this cause was opened by Mr Ogden for the Plaintiff in Error. —
vs	
Enoch St John & Robert Colburn	

On motion first made to the Court & by ordered that Cuff Green of the District of Columbia & Adam Beatty of Kentucky Esqrs be admitted to practice as Attorneys & Counsellors of this Court. —

Proclamation being made the Court is adjourned until

Thursday January 25th 1827.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble Joseph Story Associate Justices
Gabriel Duvall
Robert Trimble

Proclamation being made the Court is opened.—

James Buchanan Esqr. Thos. Swann Esqr. } This argument of this cause was further continued by Mr. Wheaton and Mr. Mitchell for the defendant in Error.
Enoch Pratt Esqr.
Robert Gilmor

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock —

Friday January 26th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	chief Justice
	Bushrod	Washington	
	William	Johnson	associate
The Honble	Joseph	Story	Justices
	Smith	Thompson &	
	Robert	Trimble	

Proclamation being made the Court is opened.—

James Jackson ex dem. Enoch P. Lohn
vs
Robert Blewer

The argument of this cause was continued and concluded by Mr Hunt for the plaintiff in Error.—

Charles Clarke
vs
The Corporation of Washington.—

The argument of this cause was opened by Mr Webster for the plaintiff.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
The Honble: Joseph Story } associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

Charles Clarke
vs
The Corporation of Alexandria

The argument of this cause was continued by Mr Mercer for the plaintiff and by Mr Jones for the defendants.

Joseph Parkin, William Parkin & John Hill Colough
vs
John E Regan

On motion of Mr Raymond for a rule to show cause why a mandamus should not issue to the Circuit Court of the Middle District of the United States commanding them to issue an execution in pursuance of a mandate from this Court in said cause issued in February Term 1826 - Rule granted returnable the 10th day of February next. —

Saturday January 27th 1827. Cont.d

Ex parte Joseph Parkin &c.
Parkin & John U.S. Blough — In the matter of the matter of the Judges of the Circuit Court of the United States for the 4th Circuit in and for the District of Maryland Ordered by the Supreme Court of the United States that the rule prayed for be granted, and that the said Judges of the Circuit Court for the District of Maryland shew cause on the 10th day of February 1827. —

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock. —

Monday January 29th 1827–

Pursuant to adjournment the Court meets this morning at the Courthouse

Present

The Honorable John Marshall, chief Justice
Bushrod Washington
William Johnson — associate
The Honble. Joseph Story — Justices.
Gabriel Thompson
Robert Trimble

Proclamation being made the Court is opened.

6. Amos Eaton & Felix Tyrrell vs. Thos. Lessee

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of West Tennessee and was argued by counsel. On consideration whereof this Court is of opinion with the said Circuit Court that the grant to Patrick McStanley is void. That the Court is further of opinion that there is error in this, that the said Circuit Court erred in permitting evidence to be given for the purpose of showing the Court had no jurisdiction and submitting the same to the Jury. That if they believed the facts relied this evidence amounted to prove the Court had no jurisdiction over the cause. It is therefore considered that the Judgment of the said Circuit Court be and the same is hereby reversed and annulled and that

the said cause be remanded to the said Provincial Court with directions to set aside the verdict and for new proceedings to be had therein, not inconsistent with the Judgment of this Court. —

Charles Clarke
&
The Corporation of Washington

This cause was further argued by Mr. Jones for the defendants and by Mr. Hunt in answer for the plaintiff. . . .

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Old grant on claim of Samuel Ravenscroft
&
John Miller for the use &c.

Exemplification suggested and Certificate ordered and Issued the 29th January 1827 —

Tuesday January 30th 1827.

Pursuant to adjournment the Court met this morning at the Courthouse.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble: Joseph Story Justices
Smith Thompson
Robert Trimble

Proclamation having been made the Court is opened.

Thomas Lobenbo
vs
The Corporation of Washington

This cause coming on for hearing and considered by Counsel for the Plaintiff

The Bank of the U States
vs
Dulaney B Cambridge
Defendant

This cause was affirmed for Saturday next by order of the Court —

52 Thomas Peter
vs
Fanny D Washington

On motion of Mr Hambleton of Counsel for the Defendant It is ordered by the Court that the writ of error in this cause be and the same is hereby dismissed for want of prosecution, at cost appearing to the Court that the same is settled between the parties —

Rhodes Martin
53 vs
Tracy L. Markham

On motion of Mr Mitchell of Counsel for the defendant. It is ordered that the writ of Error in this cause be and the same is hereby dismissed for want of jurisdiction, it not appearing to this Court that the sum in controversy is $2000.—

Rhodes Martin
54 vs
Tracy L. Markham

On motion of Mr Mitchell of Counsel for the defendant It is ordered that the writ of Error in this cause be and the same is hereby dismissed for want of jurisdiction it not appearing to this Court that the sum in controversy is $2000.—

John Clinton Plaintiff in Error
vs
Richard Ballenstines

The argument of this cause was opened by Mr Dixon for the plaintiff in Error and by Counsel by Mr Rowan for the defendant in Error and argument concluded by Mr Mitchell for the plaintiff in Error.—

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.—

Wednesday January 31st 1827.

Pursuant to adjournment the Court met this morning at the Capitol —

Present. —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Joseph Story — Associate Justices
Smith Thompson
Robert Trimble

Proclamation having made the Court is opened

The President & Directors of the Merchants Insurance Company
10.
William Peele Nathan

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts, & on consideration whereof and by consent of counsel It is Ordered adjudged and decreed that the Judgment of the said Circuit Court be and the same is hereby reversed and annulled as for want of Jurisdiction but without prejudice to any party as to any question and without costs —

On motion of Mr. Ogden of counsel for the appellants for allowance of costs against the appellees — Motion refused. —

800. — Wednesday January 31st 1827. Cont.d —

Miner Clemis heirs
vs
Jonathan Jackson & others

Mr Mitchiffe of counsel for the defendants moves the Court to dismiss the Writ of Error in this cause on the ground that this Court cannot entertain jurisdiction of said cause. —

Old Grant on demise of Samuels Monarch
vs
John McRee for the use &c

On motion of Mr Mitchiffe of counsel for the defendant It is ordered that a rule be granted on the plaintiff in this cause to shew cause by the first day of the next Term why the writ of Error should not be dismissed for want of prosecution. And it is further ordered that on due proof of the service of a copy of this rule on the plaintiff or his counsel and they not appearing on said first day of the next Term of this Court that the same cause be and the same is hereby dismissed. —

William Thornton
vs
William Clynes

This cause was argued by (Mr Charles Lowndes Dee for the plaintiff in Error and by (Mr Macknight for the defendant in Error and concluded by (Mr C. L. Dee for the plaintiff in Error. —

John Taylor
vs
38. The Central Bank

On Motion of Mr Jones of Counsel for the plaintiff It is ordered by the Court with the consent of opposite counsel that this cause be and the same is hereby discontinued. —

John Lawrason and Joseph Forest Exrs of the Estate of John K. Pickett
vs
William Taylor Admr of the State Bank at Cahawba. —

This cause was argued by by Mr Jones for the plaintiffs in Error and by Mr Cooper for the defendant in Error, and concluded by Mr Jones for the plaintiffs in Error. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Thursday February 1st 1827.—

Pursuant to adjournment the Court met this morning at the Capitol;

Present

The Honorable John Marshall, chief Justice
Bushrod Washington
William Johnson
The Honble: Joseph Story } Associate Justices
Smith Thompson
Robert Trimble

Proclamation, being made the Court is opened.

James H. Kenny Plt. in Error
vs
Edward Featherstone & others

18.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of West Tennessee and was argued by Counsel, On consideration whereof this Court is of opinion that there is no sufficient evidence to shew that the assignment dated the day of June 1817 was procured by fraud or undue advantage taken of the Situation of the debtor; and that the said assignment ought not to have been set aside. The decree of the said Circuit Court is therefore deemed erroneous Wherefore it is considered by this Court that the decree of the said Circuit Court in said cause be and the same is hereby reversed and annulled and that the cause be remanded to the said Circuit Court with directions to dismiss the bill with costs.—

Thursday February 1st 1827 Cont:

31	Isham Chapman Esqre vs Richard Cutts Stevens	This cause came on to be heard on the transcript of the record & certificate of division in opinion of the Judges of the Circuit Court of the United States for the District of West Tennessee on the points on which the Judges were divided which is certified to this Court and was argued by Counsel. On consideration whereof this Court is of opinion that the survey of James Hendricks of the land in question could legally be made in an oblong form by virtue of this entry which is ordered by this Court to be certified to the said Circuit Court. —
53	Messrs Ellmis Lewis vs Jonathan Jackson Sothers	On motion of Mr Hemphill of Counsel for the defendants in error & on consideration thereof It is ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed it not appearing that this Court have jurisdiction of this cause. —
	Webster R Potter vs Hannah Faraun & others	This cause was argued by Mr Potter for the appellant. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Friday February 2nd 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble. Joseph Story — assocate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

On motion first made to the Court it is ordered that Siphthale B. Symmes of Ohio Esquire be admitted to practice as an attorney and counsellor of this Court. —

28. Michael S. Martin vs James Ruthburn

This cause came on to be heard on the Transcript of the Record of the proceedings and Judgment of the Court for the trial of Impeachments and the correction of Errors of the State of New York and was argued by counsel. On consideration whereof it is considered and adjudged that there is error in the Judgment of the said court for the trials of Impeachments and the correction of Errors in this that upon the pleadings in the cause Judgment ought to have been rendered in favour of the avowant whereas it was rendered infavour of the original plaintiff and it is therefore

further considered and adjudged that the same Judgment be and hereby is reversed and annulled and also that the Judgment of the Supreme Court of Judicature of the State of New York which was affirmed by the said Court of Errors and Impeachments be reversed and annulled and that Judgment be rendered that the said avowry is good and sufficient in law to bear the plaintiffs action and that the plaintiff take nothing by his writ and that the cause be remanded to the said Court for the trial of Impeachments and the correction of Errors, if the Record be there in the said Court, and if not, then to the Supreme Court of Judicature of the State aforesaid to which the same has been remitted with directions to cause Judgment to be entered upon the pleadings in favour of the avowant accordingly, with directions to cause Judgment to be upon the pleadings to be entered in favour of the avowant. —

29. Michael S. Martin & Wife vs Jacob E. Mott

This cause came on to be heard on the Transcript of the Record of Proceedings and Judgment of the Court for the Trial of Impeachments and the Correction of Errors of the State of New York and was argued by Counsel On consideration whereof it is considered and adjudged that there is error in the Judgment of the said Court for the Trial of Impeachments and the correction of Errors in this

Friday February 3rd 1837- Cont.d

that upon the pleadings in the cause Judgment ought to have been rendered in favor of the amount Whereas it was rendered in favor of the original plaintiff, and it is therefore further considered and adjudged that the same Judgment be and hereby is reversed and annulled and also that the Judgment of the Supreme Court of Judicature of the State of New York which was affirmed by the same Court of Errors and Impeachments be reversed and annulled and that Judgment be rendered that the said account is good and sufficient in law to bear the plaintiffs action and that the plaintiff take nothing by his writ, and that the cause be remanded to the said Court for the Trial of Impeachments and the Correction of Errors if the Record be there in the said Court, and if not then to the Supreme Court of Judicature of the State aforesaid to which the same has been remitted with directions to cause Judgment to be entered upon the pleadings in favor of the amount accordingly, with directions to cause Judgment upon the pleadings to be entered in favor of the amount. —

Charles B. Baldwin
(Ex)
Hannah Gardner & Ors

This cause was fully argued by Mr Baldwin for the appellants and by Mr Meredith for the appellees and Mr Ogden for the appellees. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Saturday February 3rd 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present -

The Honorable John Marshall Chief Justice
Bushrod Washington
Williams Johnson
The Hon'ble Joseph Story
Gabriel Duvall
Robert Trimble
} Associate Justices

Proclamation having been made the Court is opened.

Thomas Preston Carter
vs
The City Council of Charleston

On motion of Mr Hoyne of Counsel for the appellants there being no counsel on the part of the appellees. It is ordered that this cause be considered & submitted to the Court without argument on the Record.

Elisha R Potter
vs
Hannah Gardner & others

This cause was fully argued and submitted by Mr Hunt for the appellees.

The Bank of the State
vs
Cullen B Cowanger & others

This cause was opened and argued by Mr Preston for the plaintiffs in Error.

Saturday February 3rd 1827. Cont'd

Daniel Rhea & others
vs
Daniel Renner

On motion of Mr King of Counsel for the appellee for a Rule on the appellants to shew cause why the appeal in this cause should not be dismissed for want of Jurisdiction appellee having filed affidavit shewing the property in dispute to be of less Value than $1000 — On consideration whereof it is ordered by the Court that the appellant shew cause on the tenth day of February instant, why the appeal should not be dismissed. —

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock. —

Monday February 5th 1827 —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble: Joseph Story } assosiate Justices
Gabriel Duvall
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened —

The Bank of United States
vs
Julius P. Bamberger & others

The argument of this cause continued by Mr Webster for the plaintiffs in Error and by Mr Ingersoll for the defendants in Error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock —

Tuesday February 6th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable John Marshall, chief Justice

	Bushrod Washington	
	William Johnson	associate
The Honble	Joseph Story	Justices
	Smith Thompson,	
	Robert Trimble	

Proclamation being made the Court is opened.—

The Bank of United States
vs
Julius P. Dandridge & others

The argument of this cause was continued by Mr. Page & Webb for the defendants in Error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

Wednesday February 7th 1827.

811

Pursuant to adjournment the Circuit Court convened at the Capitol.

Present —

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
Joseph Story
Gabriel Duvall
Robert Trimble
} Associate Justices

The Court.

Proclamation being made the Court is opened.

25. Sebastian Lallarde
vs
The Corporation of Washington & Georgetown

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by Counsel. On consideration whereof this Court is of opinion that the said Circuit Court erred in giving Judgment for the Defendant below — The plaintiff recovered and the case agreed to which this Court hath also had regard and duly considered that the Judgment of the said Circuit Court be and the same is hereby reversed and annulled and it is further ordered that the said cause be remanded to the said Circuit Court with directions to enter judgment for the plaintiff with interest at the rate of six per centum per annum. —

Wednesday February 7th 1827 Cont.d

The Bank of United States vs Julius P. Dandridge & others	The argument of this cause was continued and concluded by Mr. Hunt for the plaintiffs in Error. —
Frank P. Blair and others & heirs. — vs Meynardier Pope and William B. Patton	The argument of this cause was opened by Mr. Mercer and Mr. Dunington for the appellants and by Mr. Pinkney and Mr. Meredith for the appellees and concluded by Mr. Dunington for the appellants. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Thursday February 8th 1821.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Honble: Joseph Story } associate Justices
Gabriel Duvall
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

James Lackem ex dem: Jeremiah D Jahn
vs.
Robert Colson

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of New York and was argued by Counsel, and consideration thereof. It is ordered and adjudged that the judgment of the Circuit Court in this case be and the same is hereby affirmed with costs. The opinion of the Court was delivered by Chief Justice Thompson —

John Lehare Plaintiff in Error
vs.
Samuel Hoffman Defendant in Error

The argument of this cause was opened by Mr Hoffman for the defendants —

J. J Vasques Consul General of Portugal

Thursday February 8th 1827 Cont.d

Kasenuko Armstrong
vs
Benjamin L Bean admr
of Reddens Kasenuko Tolmo

The argument of this cause was
opened by Mr Wilcox for
the appellants and by Mr
Bean for the appellees and
continued by Mr Hunt for
the appellees and by Mr Scrugham for the appellants.—

Proclamation being made the Court is adjourned
until tomorrow morning at eleven Oclock.—

Friday February 9th 1827

Pursuance to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble Joseph Story
Gabriel Duvall
Robert Trimble

Proclamation being made the Court is opened.

32. Elisha R. Potter
vs
Hannah Gardner & others

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel, On consideration whereof this Court is of opinion that there is error in so much of the decree of the said Circuit Court as directs the executors Elisha R Potter to the payment of a larger sum of money than now remains in his hands of the original purchase money added to the sum he has applied to the payment of the debts of Ezekiel Gardner after deducting therefrom the amount given for the estates purchased from Isabella Gardner, and in so much of the said decree as corrects the said Elisha R Potter to pay the sums he has misapplied to the

debts of Ezekiel Lee Gardiner and for which he the said Ezekiel is liable in the first instance, before he the said Ezekiel shall have failed to pay the same.

It is therefore the opinion of this Court that so much of the said decree as is contrary to this opinion be reversed and annulled, and that the same be in all things other respects affirmed; and the cause is remanded to the said Circuit Court with directions to reform the said decree according to this opinion and to do all other things therein as equity and Justice may require. In taking any account between any of the parties which may be necessary for giving effect to this order interest is to be computed according to law and usage. —

John Chase, William Penniman, Amos Brown & Hezekiah Allen

vs.

33.

Joaquim José Rasquis Consul General of Portugal

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel On consideration

Whereof It is ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum. —

Friday February 9th 1827. Court 217

Tildesdales Executs vs Robinsons administrator	The argument of this cause was opened by Mr Dewitt for the plaintiff
Edmund Mason &c vs Nathan Hoile concluded by Mr Bliss	This cause was argued by Mr Bliss for the plaintiff. by Mr Wheaton for the defendants and by Mr Bliss for the plaintiff.
Stephen Sandford and the heirs of James Sandford vs John Sandford	The argument of this cause was continued by Mr Scott for the appellants and by Mr Brush for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Saturday February 10th 1827

Pursuant to adjournment this Court (met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	Associate
The Honble	Joseph	Story	Justices
	Gabriel	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened. —

Sarah T Cholard's Exrs and Heirs
vs
Alexander Pope and William B Patton

This cause came on to be heard on the Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by Counsel On consideration whereof, It is ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs. —

Alexander Dunlap and the heirs of James Dunlap
vs
John Dunlap

This cause was further argued by Mr Sandridge for the appellee and concluded by Mr Scott for the appellants. —

The United States
vs
The Judges of the Circuit Court of the United States for the Maryland District

Ex parte Joseph Parker William Parker and John W Clough - In the Matter of the Judges of the Circuit Court of the United States for

the fourth Circuit Court of the and District of Maryland in pursuance of a rule granted by this Court on Motion of Mr Raymond on the 27th day of January 1827 on said Judges to shew cause why a mandamus should not issue to the said Judges commanding them to issue an execution in pursuance of a mandate issued from this court at February Term 1825 in the case of John E Regnier vs Joseph Parker William Parker and John W Clough - Mr Hunt proceeded to shew cause why a Mandamus should not issue on behalf and on the part of the said Judges.

Mr Raymond proceeded to argue the cause in support of the Rule and the argument was concluded by the Attorney General.

Samuel Rhea &c Plts
vs
Samuel Renner

In pursuance of a Rule granted by this Court on the 31st day of February on Motion of Mr Key on the part of the appellants to shew cause why the appeal in this case should not be dismissed for want of Jurisdiction, Mr Leake on behalf of the appellants proceeded

Saturday February 10th 1827. Cont.a

Adam Mallow & others	The argument of this cause
vs	was opened by Mr. Bond
Thomas F. Hunde	for the appellants. —

Proclamation being made the Court is adjourned until Monday Morning next at eleven oclock. —

Monday February 12th 1827 — 821-3.

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
William Johnson
Bushrod Washington
The Honble: Joseph Story
Smith Thompson
Robt Trimble
} as circuit Justices

Proclamation being made the Court is opened —

Adam Mallow Cohens
and
Thomas P Hunter

The argument of this cause was continued by Mr Scott for the appellee and further argued by Mr Goodridge for the appellee and concluded by Mr Brush for the appellants —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Tuesday February 13th 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble Joseph Story } associate Justices
Gabriel Thompson
Robert Trimble

Proclamation being made the Court is opened.

The Motion first made to the Court, It is ordered that Sam. Sprigg Esquire of Virginia be admitted to practice as an attorney and counsellor of this Court —

William Thornton
vs
William Mayne

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Washington and was argued by Counsel on consideration whereof — It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled & the cause remanded to the said Circuit Court with direction to issue a venire facias de novo. —

Alexander McConnell
vs
The Trustees of the Town of Lexington

The cause came on to be heard on the Record and on the printed briefs of Mr Rowan for appellant and by Mr Talbot for the appellees.

William Harvard
Gothen Fisher
vs
Isaac Gallaher & others

The arguments of this cause was opened by Mr Isacks for the plaintiffs and by Mr Lee Hanglas for the defendants and further argued by Mr Leage for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Wednesday February 14th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	Associate
The Honble	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.—

Williams Haycraft & others Plffs	This cause was further argued by Mr Hoye for the defendants in Error and concluded by Mr White for the plaintiffs in Error.
vs	
Isaac Gaillard & others	
William Montgomery vs Garden Hernandez & co	The argument of this cause was opened by Mr Adam for the appellant and by Mr Key for the appellees and concluded by Mr Adam for the appellant.—

Wednesday February 14th 1827 Cont. 82

Clotham [illegible] (Knight) & others
vs
The Bank of the U. States

The argument of this cause was opened by Mr. Ogden for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.

Thursday February 15th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
William Johnson
Bushrod Washington
The Honble Joseph Story
Gabriel Duvall
Robert Trimble
} associate Justices

Proclamation being made the Court is opened.—

On motion first made to the Court, It is ordered that Julian Pope Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this Court.—

Arthur Magill & others
vs
The Bank of the U States

The argument of this cause was further continued by Mr Ogden for the plaintiffs in Error and by Mr Winder for the defendant in Error and concluded by Mr Ogden for the plaintiffs in Error.—

James D. Breckenridge
& Archibald Allen
vs
The Bank of the U. States

This cause was submitted to the Court on the Record.

Estate of Stephen Girard & others
vs
Nancy Dawes & others

The plaintiffs in Error being three times called by the Marshal to appear and prosecute their suit and failing so to do

This cause stands dismissed with costs.

Estate of Stephen Girard & others
vs
John Cecil and Robert Smethurs

The plaintiffs in Error being three times called by the Marshal to appear and prosecute their suit and failing so to do

This cause stands dismissed with costs.

Robert Perry
vs
James Smith & others

The plaintiff in Error being three times called by the Marshal to appear and prosecute his suit and failing so to do. This cause stands dismissed with costs.

John L. McLemore
vs
Powell, Foster & Co

This cause was argued by Mr Eaton for the plaintiff in Error and by Mr Bliss and Mr Webster for the defendants in Error and concluded by Mr White for the plaintiff.

Proclamation being made the Court is adjourned until

Friday February 16th 1827.—

Pursuant to Appointment the Court met this Morning at the Capitol.

Present.—

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	Associate
The Honble:	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.—

On Motion first made to the Court. It is ordered that W. R. Gillingham Julius Forrest and Ethal Foy Esquires be admitted to practice as Attorneys and Counsellors of this Court.—

69.

James L. Breckenridge & Archibald Allen
vs
The Bank of the U. States

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky and was submitted to the Court on the Record, In Consideration whereof. It is ordered Considered and decreed by this Court that the decree of the said Circuit Court in the said cause be and the same is hereby affirmed with costs.—

	The United States	This cause was sub-
50	vs	mitted to the Court on
	Priscilla Barker admx &c	the Record and Briefs
	of Abraham Barker	of Counsel —
	The United States	This cause was sub-
57	vs	mitted to the Court on
	Priscilla Barker admx &c	the Record and Briefs
	of Abraham Barker	of Counsel. —
	The United States	This cause was submit-
58.	vs	ted to the Court on
	Priscilla Barker admx &c	the Record and Briefs
	of Abraham Barker	of Counsels. —
	The United States	This cause was submit-
59.	vs	ted to the Court on
	Priscilla Barker admx &c	the Record and Briefs
	of Abraham Barker	of Counsel. —
	Samuel Buck	This cause was argued by
	vs	the atto Genl for the defendants
	The United States	and submitted to the court a-
		on the Record. —
	Stephen Vincent	This cause was argued by
	vs	Mr. Leese for the Plaintiff
	George Poindexter Executor	& by Mr. Ogden for the defts

Proclamation being made the Court is adjourned

Saturday February 17th 1827

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Joseph Story associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

Liddendale Executor
vs.
Robinsons Administrator

This cause came on to be heard on a certificate of division in opinion of the Judges of the Circuit Court of the United States for the District of Pennsylvania and was argued by Counsel On consideration whereof It is Ordered by this Court to be certified to the Judges of the Circuit Court of the Pennsylvania District that John Smith as Executor of John Smith deceased is entitled to Satisfaction from the assets of the estate of John Robinson with the priority of a Judgment creditor of the deceased — Mr Justice Johnson delivered the opinion of the Court —

115

74. Adam Mallow. John Rigner. Joseph Bugg. Solomon Paloma Bonner Jonathan Simpson. John Peterson and Benjamin Hunter and wife vs Thomas P. Hinde

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Ohio and was argued by Counsel On consideration whereof It is ordered and decreed by this Court that so much of the decree of the said Circuit Court as overrules the bill generally must be reversed, and the decree in all things else be and the same is hereby affirmed, and the cause is to be remanded to the Circuit Court with directions to dismiss the bill without prejudice - Mr. Justice Trimble delivered the opinion of the Court -

73. Alexander Dunlop and the Heirs of James Dunlop vs John Dunlop

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Ohio, and was argued by Counsel On consideration whereof It is ordered and decreed by this Court that the decree of the said Circuit Court in this case be and the same is hereby affirmed with costs -
Mr. Chief Justice Marshall delivered the opinion of Court. -

Saturday February 17th 1827 Cont.d

Stephen Henderson
vs
George Poindexter's Exrs

The argument of this cause was continued by Mr. Ogden and Mr. Wirt for the defendants in Error - and by Mr Mechlen for the plaintiff in Error -

Proclamation being made the Court is adjourned until Monday Morning next at eleven Oclock. -

Monday February 19th 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson associate
The Hon'ble. Joseph Story Justices
Smith Thompson &
Robt Trimble

Proclamation being made the Court is opened —

George M. Dallas Esquire
Ex parte
Thos Farmers

The opinion of the Court was read in this case but Mr Chief Justice Marshall directed Judgment not to be entered. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Tuesday February 20th 1827—

Proclamation being made the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble Joseph Story associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened

John C McLemore
vs
Powell, Foster & al

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of West Tennessee and was argued by Counsel, on consideration whereof, It is ordered and adjudged by this court that the Judgment of the Circuit Court be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.—

Arthur W Magill
Elisha Case, Joshua Stow
and Nathan Stanton
vs
The Bank of United States.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Connecticut and was argued by Counsel On consideration whereof

Tuesday February 20th 1827 Cont? 887

It is Ordered and adjudged by this Court that the Judgment of the said Circuit Court in this Cause be and the same is hereby affirmed with costs & damages at the rate of six per centum per annum.

The United States
vs
The Judges of the Circuit Court of the United States for the Maryland District

Ex parte Joseph Parker William Parker and John Lee Eckenrode

In the Matter of the Judges of the Circuit Court of the United States for the District of Maryland

In pursuance of a rule granted by this Court 9th January 1827 on said Judges to shew cause why a Mandamus should not issue against said Judges, which rule was argued by Counsel on consideration whereof, It is considered Ordered and adjudged by this Court said motion be and the same is hereby overruled, and said rule be and the same is hereby discharged. —

John
vs
John

Mr Jones Dupee

Chastellux

The argument in this cause was opened by Mr White for the plaintiff in error —

John
vs
John

Mr Jones Dupee

Chastellux

This cause came on to be heard on the Transcript of the Record of the United States Circuit Court

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Tuesday February 20th 1827 - Cont'd

Court for the District of West Tennessee and was argued by Counsel on the part of the Plaintiff in Error in consideration whereof and an inspection of the Record It is ordered by the Court that the writ of Error in this cause be and the same is hereby dismissed for want of Jurisdiction it not appearing to this Court that the sum in controversy is Two thousand dollars.

James Ramsay
vs
John T. C. Allegre

The argument in this cause was opened by Mr. Meredith for the appellant and continued by Mr Dwight and Mr. Hoffman for the appellee. and concluded by Mr. Clark for the appellant. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Wednesday February 21st 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Joseph Story, associate Justices
Gabriel Thompson
Robert Trimble

Proclamation being made the Court is opened.

Alexander Armstrong
vs
Benjamin F. Perry & al. Executors of Theodorus Alexander Bethune

11. This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia for the County of Washington and was argued by Counsel on consideration whereof it is ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed but this affirmance is without prejudice to either party and without costs. —

Samuel Bond
vs
The United States

11. This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for

Wednesday February 21st 1827 Cont'd

for the District of Vincennes and was argued by counsel On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs —

Richard Drummond surviving partner &c

&c

Robert Simmons Esqrs Executors of Isaac Prestman

The argument of this cause was opened by Mr Emmett for the plaintiff in Error and by Mr Jones for the defendants in Error and continued by Mr Fenny for the defendants in Error and by Mr Hunt for the plaintiff in Error. —

Prayer amatrem being made the Court is adjourned until tomorrow morning at eleven o'clock —

Thursday February 22nd 1827

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Hon'ble. Joseph Story
Gabriel Duvall
Robert Trimble
} associate Justices

Proclamation being made the Court is opened.

On motion Leave is granted to the Court, It is ordered that Thos W. Ludlow Esquire of New York be admitted to practice as an attorney and Counsellor of this Court.

50. William Montgomery
vs
Hartley Hennessey &c.

This cause came on to be heard on the Transcript of the Record of Supreme Court of the State of Louisiana the highest Court of Law in said State and was argued by counsel on consideration whereof it is this Court is of opinion that the Supreme Court of the State of Louisiana misconstrued neither the act of Congress limiting actions upon Marshals Bonds to five years from the time the cause of action accrued

or any other act of Congress to the prejudice of the plaintiff in Error - It is therefore ordered and adjudged by this Court that the Judgment of the said Supreme Court of the State of Tennessee must be and hereby is affirmed in said cause with costs and damages at the rate of six per centum per annum. —

Alexander McConnell
vs
The Trustees of the Town of Lexington

12. His cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Kentucky District and was argued by Counsel On consideration whereof it is ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Richard Drummond Surviving Partner &c
vs
Robert Denman & others Exrs of George Presstman

No argument of this cause was continued and concluded by Mr Kent for the plaintiff in Error. —

The United States
vs
Robert Tillotson and Nicholas Gouverneur Surv. &c

The argument of this cause was opened by Mr Hoge for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven o'clock.

Friday February 23rd 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Hon'ble Joseph Story
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened

56 The United States vs Priscilla Barker widow of Abraham Barker

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Pennsylvania district, and was submitted by Counsel to the Court on the Record and Briefs. On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed by this Court.—

57 The United States vs Priscilla Barker widow of Abraham Barker

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Pennsylvania

District and was submitted by Counsel to the Court on the Record and Briefs on Consideration whereof It is Ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed by this Court.

58 The United States vs Pascallas Barker admr of Abraham Barker

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Pennsylvania District and was submitted by Counsel to the Court on the Record and Briefs on consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed by this Court.

59 The United States vs Pascallas Barker admr of Abraham Barker

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Pennsylvania District and was submitted by Counsel to the Court on the Record and Briefs on consideration whereof It is Ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed by this Court.

3. Isaac G. Pearson &c
& James Lawton
vs
Richard M. Morrison &
Gabriel S. Timms

This cause came on to be heard on the Transcript of the Record of the Court for the trial of impeachments and the Correction of Errors for the State of New York and was argued by Counsel On consideration whereof, It is ordered and adjudged by this Court that the Judgment of the said Court for the Trial of impeachments and the Correction of Errors for the State of New York be and the same is hereby affirmed with costs. —

The United States
vs
Robert Tillotson and
Nicholas Commerford
Survivors of Samuel
Hawkins dec'd. —

This cause was further argued by Mr. Wheaton and Mr. Mitchell for the defendants in Error and by the Attorney General for the Plaintiffs in Error. —

Proclamation being made the Court is adjourned until tomorrow morning next at eleven o'Clock. —

Saturday February 24th 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon.ble Joseph Story } Associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

On motion first made to the Court It is ordered that John Scott Esquire of the State of Maryland be admitted to practice as an attorney and counsellor of this Court.

The United States
vs
Robert Tillotson and Nicholas Gautier
Scire facias &c

The argument of this cause was continued and concluded by the Attorney General for the plaintiffs in Error.

Robert Perry
vs
James Tuck & others

Mr. Talbot of Counsel for the plaintiff in Error moved the Court to reinstate this cause which stood dismissed. On consideration whereof It is ordered by this Court that this cause be and the same is hereby reinstated.

168. James Kennedy vs John Taylor

The cause was submitted to the Court by Counsel on the Record on consideration whereof It is ordered and adjudged by this Court that the Judgment of the Circuit Court of the United States for the District of Columbia in the County of Washington in this cause be and the same is hereby affirmed with costs and damages at the rate of ten per centum per annum . . .

James Connelly and Thomas Connelly vs Richard Taylor William Lyle Thomas Clay and Fortunatus Cooley

In this cause a certificate containing a question proposed by the Judges of this Court for the Judgments from the decree of the Circuit Court of the United States for the Pennsylvania District, stating that by the decree of the said Circuit Court the bill of the complainants had been dismissed and that the complainants had prayed an appeal to this Court in May Term 1826. and it appearing that the appellants have failed to lodge a copy of the Record with the Clerk of this Court pursuant to the Rules thereof, It is ordered and directed that the said cause be struck off and that the said appeal be and the same is hereby dismissed . . .

Proclamation being made the Court adjourned until to-

Monday February 26th 1827.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson — Associate
The Hon'ble: Joseph Story — Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened. —

On Motion first made to the Court It is ordered that Mr. Peale Esquire of New Jersey and John McLean Esquire of New York be admitted to practice as an attorney and Counsellor of this Court. —

The United States
vs.
Jacinto N. Nicolls

The argument of this cause was opened by Mr. Sampson for the Plaintiff in Error and by Mr Ogden for the defendant in Error and concluded by the attorney General for the Plaintiff in Error. —

William H Wallace
vs.
The United States

The argument of this cause was opened by Mr. Ogden for the Plaintiff in Error. —

Proclamation being made the Court is adjourned until

Tuesday February 27th 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
The Honorable: Joseph Story — Associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

Edward Mason Jr. vs. Nathan Hinckley — This cause came on to be heard on a certificate of division from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel on consideration whereof it is ordered by this Court to be certified to the said Circuit Court of the United States for the Rhode Island District "that the matter set forth in the defendants answer & plea are sufficient to bar the plaintiffs action". — Mr Justice Washington dissenting from the opinion of the Court which was delivered by Mr Justice Thompson. —

James Connelly &
Thomas Connell
vs
Richard Taylor & others

On motion of Mr. Wickliffe of Counsel for the plaintiffs in Error to set aside the dismissal of this cause which stood dismissed. On consideration whereof It is ordered by this Court that the dismissal be and the same is hereby set aside and the cause reinstated. —

William H. Wallace
vs
The United States

The argument of this cause was continued by Mr. Wheaton for the defendants in Error. The Court being moved that this cause was improperly brought up to this Court Whereupon It is ordered by this Court that the said cause be and the same is hereby dismissed for want of Jurisdiction It appearing on the face of the Record that the cause came up on appeal from the District Court of the United States for the Indiana District instead of by writ of Error. —

The President & Directors of the General Interest Assurance Company
vs
Nathaniel Ruggles

The arguments of this cause was resumed by Mr. Wheaton for the plaintiffs and by Mr. Blight for the defendants. —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
The Honble. Joseph Story
Smith Thompson
Robert Trimble
Associate Justices

Proclamation being made the Court is opened

The Bank of the U. States
vs
Julius B. Sanderson & Wm. Lee

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Virginia and was argued by counsel on consideration whereof It is ordered and adjudged that there was error in the Circuit Court for the District of Virginia in rejecting the evidence offered by the said plaintiffs in the first bill of Exceptions stated and not suffering the same to go to the Jury in support of the issues joined in the case, and also that there was error in the said Court in rejecting the evidence offered by the plaintiffs in the second bill of Exceptions stated and not suffering the same to go to the Jury in support of the same issues. This Court being of opinion that the

evidence was admissible in favor of the plaintiffs. Notwithstanding there was no record of any approval of the bond stated in said Bills of Exceptions by the Board of Directors of the Bank aforesaid and that the plaintiffs were at liberty to prove the fact of such approval by the said Board, by presumptive evidence in the same way and manner as such fact might be proved in the case of private persons not acting as a corporation or as agents of a corporation and it is further ordered and adjudged that for the error aforesaid the Judgment of the said Circuit Court be and hereby is reversed and annulled and that the cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

Ejectment of James Hamilton vs. Hunt and Lane. On motion of Mr. Dade and leave of Counsel for the plaintiff in error It is Ordered by this Court that the plaintiff in error be at liberty within the first forty days of the next Term to shew to the satisfaction of this Court that the matter in dispute exceeds the value of Two thousand dollars exclusive of costs. This to be made appear by affidavits on Twenty days notice to the opposite parties or their counsel in Ohio. This rule as to affidavits to be mutual. —

Alexander Brown
Esqrs -
&c &c
The State of Maryland

The argument of this
Cause was opened by
Mr Meredith for the
Plaintiffs in Error,
and continued by Mr
Johnson for the Defendants
in Error —

Ole Grant on dem of
Samuel Meredith
&c &c
John Mc Kee for
the use &c

Motion to Dismiss
Writ of Error

Proclamation being made the Court is adjourned
until [illegible] at eleven o'clock

Thursday March 1st 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Joseph Story — associate Justices
Gabriel Duvall
Robert Trimble

Proclamation being made the Court is opened.

On motion first made to the Court, It is ordered that Thomas Wharton and Thomas Dunlap Esquires of Philadelphia and Joseph Moulton Esquire be admitted to practice as attorneys and counsellors of this Court.

Benjamin Brown Adams
vs
The State of Maryland

The argument of this cause was continued by Mr Taney for the defendant in Error, and concluded by Mr Leigh for the plaintiffs in Error.

Thursday March 1st 1827 cont? -855-

Defence &c &c Error
vs
Henry & Cumberland

The argument of this cause was opened by Mr Simmons for the Plaintiff in Error and continued by Mr Dunn for the Defendant in Error and concluded by Mr Simmons for the Plaintiff in Error —

Rule nisi then being made the Court is adjourned until tomorrow morning at eleven Oclock —

Friday March 2nd 1827

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall chief Justice.

The Hon'ble. Bushrod Washington, William Johnson, Joseph Story, Smith Thompson, Robert Trimble — associate Justices

Proclamation being made the Court is opened.

Mr Wirt first made to the Court the following motion, viz. It is ordered that D. R. Hale Esquire of the State of Ohio be admitted to practice as an attorney and counsellor of this Court.

The United States
vs.
Robert Tillotson and Nicholas Commissioners servants of Samuel Hawkins deceased

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Southern District of New York and was argued by counsel on consideration whereof it is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and that the same be remanded to the said Court with directions to award a Mesne [illegible]

80. James Ramsay
vs
John B. Mc Allister

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by Counsel On consideration Whereof It is Ordered and decreed by this Court that the decree of the said Circuit Court in said cause be and the same is hereby affirmed —

Robert Mc Clemmon
vs
Joseph Jackson

The argument of this cause was opened by Mr Key for the plaintiff in Error and continued by Mr Swann for the defendant in Error and was further argued and concluded by Mr Key for the plaintiff in Error —

John Thompson
vs
James Peters & Mrs Ann Peters
& Benj. Nan —

The argument of this cause was opened by Mr G. C. Dee for the plaintiff in Error and continued by Mr Key for the defendants in Error —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock —

Saturday March 3d 1827.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable	John	Marshall,	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble	Joseph	Story	associate Justices
	Smith	Thompson	
	Robert	Trimble	

The Clerk having made the Court is opened —

On Motion first ordered by the Court, It is ordered that Morris Boswell of the State of New Jersey and Martin Van Buren of the State of New York Esquires and A. P. Johnston Esquire be admitted to practice as attornies and counsellors of this Court. —

47. William Marcant & others vs Piper &c
Isaac Gaillard & others

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Mississippi and was argued by counsel; On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs —

The Columbian Insurance Company of Alexandria vs Charles F. Coltett

The argument of this cause was opened by Mr Taylor for the plaintiffs in Error and continued by Mr Swann for the Defendant in Error –

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock

Monday March 5th 1827.—

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honorable John Marshall. Chief Justice

Bushrod Washington
William Johnson
Joseph Story
Smith Thompson
Robert Trimble

} Associate Justices

The Honble.

Proclamation being made the Court is opened

66 Robert M. Chesman vs Joseph Jackson

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the district of Columbia in the County of Washington and was argued by Counsel. On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in said cause be and the same is hereby affirmed with costs.

83. The United States vs Frances R. Nicholls

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of New York and was argued by Counsel. On consideration whereof It is ordered and adjudged by this Court that

Monday March 5th 1827 Court 506

that the Judgment of the said Circuit Court be paid cause be and the same is hereby reversed and annulled and the cause remanded to the said Circuit Court with directions to award a venire facias de novo. —.

The Columbian Insurance Company of Alexandria Ca. vs Charles S. Catlett -

The argument of this cause was commenced by Mr. Mercer for the defendant in Error and concluded by Mr. Mercker for the plaintiff in Error -

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Tuesday March 6th 1827 —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall, chief Justice
Bushrod Washington
William Johnson
The Honorable: Joseph Story — associate Justices
Gabriel Thompson
Robert Trimble

Proclamation being made the Court is opened. —

The United States
vs
The officers of the Antelope or Hennessy

The argument of this cause was opened by Mr King for the plaintiff, in error, and continued by Mr Wirt for the Portuguese vice Consul; and by Mr Berrien for the Spanish and Portuguese Consuls — and by Mr Ingersoll for the Spanish Minister and concluded by Mr King for the plaintiffs in error. —

The President & Directors of the General Mutual Assurance Company
vs
Nathaniel F. Ruggles

The argument of this cause was continued by Mr Wirt for the defendant in error. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honorable Joseph Story
Smith Thompson
Robert Trimble
} Associate Justices

Proclamation being made the Court is opened.

Stephen Henderson
vs
George Parmenter & Peter. } This cause came on to be heard on a Transcript of the Record of the District Court of the United States for the District of Mississippi and was argued by Counsel, on consideration whereof it is ordered and adjudged by this Court that the Judgment of the said District Court in said cause be and the same is hereby affirmed with costs —

64 John Thompson
vs
George Peter and Thomas Peter Jr. Exrs. in Behalf of James Peter } This cause came on to be heard on a Transcript of the Record of the District Court of the United States for the District of Columbia

Wednesday March 7th 1827 Court

in the County of Washington and was argued by Counsel On Consideration Whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in said cause be and the same is hereby affirmed.—

The President & Directors of the general Interest of the Commonwealth

vs

Nathaniel S Ruggles

This cause was further argued by Mr Chilton for the defendant in Error and was further argued and concluded by Mr Ogden for the plaintiffs in Error.

The United States

vs

330 chests of Tea Tiffin cat & Co claimant

The argument of this cause was closed by the attorney general for the plaintiff in Error.—

Ordered that hearing causes be continued until to-morrow morning at eleven o'clock.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Joseph Story — associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened. —

On Motion first made to the Court it is ordered that Tristam Burges Esquire be admitted to practice as an attorney and counsellor of this Court. —

John Davidson and Joseph Forrest Special bail of J. H. Piatt
vs
William Taylor &c use of the State Bank at Camden. —

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Indiana in the County of Washington and was argued by Counsel on consideration whereof this cause was adjudged by this Court that the Judgment of the said Circuit Court in said cause be and the same is hereby affirmed with Costs. —

43.

Thursday (March 8th 1827. cont.

The United States
vs
350 Chests of Tea
Tiffin & Co. Claimts

This cause was further argued by the attorney General for the plaintiffs in Error and by Mr Hoyt and Mr Webster for the claimants and concluded by the attorney General for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.—

Friday March 4th 1837 Court

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.
The Honorable Bushrod Washington
William Johnson
Joseph Story
Smith Thompson
Robert Trimble
} associate Justices

Proclamation being made the Court is opened.

The Columbian Insurance Company of Alexandria
vs.
Charles J. Coltett.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia in the County of Alexandria and was argued by Counsel. On consideration whereof it is ordered and adjudged by this Court that there is error in so much of the Judgment of the said Circuit Court as allowed to the said Coltett as freight & for average from the Salvage the sum of Two Thousand and forty one dollars and twenty five cents. And it is further ordered and adjudged that upon the reformation of the said decree as aforesaid required by the disallowance of the freight aforesaid no allowance there is now due to the said Coltett the sum of-

90.

Friday March 9th 1827.—

Six Thousand Six hundred and twenty Six dollars and eighteen cents together with interest thereon from the fourteenth day of October A. D. Eighteen hundred and twenty two, the paid sum being the balance of the sum of $10 000 insured, after crediting the amount of the premiums due on the policy viz $3 75— and also the proportion of the Salvage belonging to the said Company viz $3997 82 received by the said Catlett and that the Judgment of the Circuit Court be for the amount of the said sum of Six Thousand Six hundred and twenty Six dollars and eighteen cents and interest thereon from the 14th day of October 1822 be and hereby is affirmed and as to the residue of the said Judgment be and hereby is reversed, and the cause is to be remanded to the said Circuit Court with directions to enter Judgment for the said Catlett accordingly— The parties in the Court below to be at liberty to open the audetas as far as respects the item for $180. the proceeds of the Hambloons and the item for $719.37 paid over to Capt Mitchell and the Judgment to be varied by the Circuit Court as these items may be found for either party. Execution from Supersedeas to be granted immediately for the balance of the Judgment exceeding the said sum of $719.37/100 —

Richard Drummond Surviving partner of Charles Drummond

vs

Robert Lemmon Marcus McCausland & Stephen M Pleasants Executors of Jer. Pleasants

81.

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the District of Maryland and was argued by counsel On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and that the cause be remanded to the said Circuit Court with directions to award a Venire facias de novo.

The Post Master General of the United States

vs

Eleazer Early Esqr

The argument of this cause was opened by Mr Wirt for the plaintiff in error and continued by Mr Berrien and Mr Meredith for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

870. Saturday March 10th 1827.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Gabriel	Duvall	Associate
The Honorable	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble.	

Proclamation being made the Court is opened —

The United States
vs
The Officers of the
Alabama & Kentucky

133

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the Georgia District upon the appeal and upon a certificate of division of opinion between the Judges of said Circuit Court and was argued by Counsel On consideration whereof this Court is of opinion that there is no error in the decree of the Circuit Court of the said District and that it be affirmed — And upon the question on which the Judges of the said Circuit Court were divided in opinion it is the opinion of this Court, that all the Officers not to be delivered to the Spanish Authorities ought to be delivered to the United States, unconditionally and without the prepayment of expenses, to be by them disposed of according to Law —

Saturday March 10th 1827 Cont? 84

The Post Master General of the United States	This cause was further argued and concluded by the attorney General for the Plaintiff.
vs	
Eleazer Early & others	

George Mr. Ogden Executor	Mr Wheaton proceeded to argue the motion made by Mr. Ogden of Counsel for the Defendant in error at this present
vs	
Denis Lemaire	

Term (February 19th). This motion was further argued by Mr Sergeant & Lemaire, the question of the validity of the state Bankrupt laws, upon the point reserved of the effect of the recent decision of this Court on that subject in a case where the plaintiff was a citizen of a different state from the defendant and sued in the Federal Court —

The motion being made the Court is adjourned until Monday morning at eleven O'clock.

872 Monday March 12th 1827.

Pursuant to adjournment the Court met this Morning at the Capitol.

Present

The Honorable John Marshall chief Justice
Bushrod Washington
William Johnson
The Honorable: Gabriel Duvall associate
Joseph Story Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.—

1827. The United States
&
Merchant & Others

This cause came on to be heard upon a certificate of division in opinion of the Judges of the Circuit Court of the United States for the District of Massachusetts and was submitted to the consideration of the Court by the Attorney General on the behalf of the United States there being no counsel on the other side. On consideration whereof it is ordered and adjudged by this Court that it be certified to the said Circuit Court that where two or more persons are jointly charged in the same indictment with a capital offence, such persons have not a right by the Laws of the Country to be tried severally peremptorily or upon the counsel

(for)

the Counsels for the United States allegating Error but such Judgment Court is a matter to be allowed in the discretion of the Court, before whom the indictment is tried - and a certificate is to be sent accordingly. —

The President & Directors of the General Interest Insurance Company
vs
Nathaniel P. Ruggles

104

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is ordered and adjudged by this Court that the Judgment of the said Circuit Court in said Cause be and the same is hereby affirmed. —

Alexander, George, John A. & James Braium. —
vs
The State of Maryland

93.

This cause came on to be heard on the Transcript of the Record of the Court of Appeals of the Western Shore of the State of Maryland on a writ of Error and was argued by Counsel. On consideration whereof this Court is of opinion that there is error in the Judgment rendered by the said Court of Appeals in this, that the Judgment of the City Court of Baltimore condemning the said Alexander Braium, George Braium, John A. Braium and James Braium to pay

the first ably therein mentioned ought not to have been reversed against them because the act of the State of Maryland entitled "A Supplement to the act laying duties on licenses for the retailing of dry goods and for other purposes" on which the reversal on which the said Judgment was rendered is founded, so far as it enacts "that all importers of foreign articles or commodities of dry goods, wares or merchandize by bale or package or of teas Rum Brandy whiskey and other distinguished spirituous liquors &c selling the same by wholesale bale or package hogshead barrel or terce, shall, before they are authorized to sell take out a license by the original act is enacted by which they shall pay fifty dollars, and in case of any refusal or neglect to take out such license &c shall be subject to the same penalties and forfeitures as are prescribed by the original act which the said supplement is supplementary to the constitution of the United States & which therefore the said Court of appeals had for the time being in blame of the State of Maryland before whom the said Judgment of the said City Court of Baltimore was brought by appeal ought not to have affirmed but have reversed the same Wherefore it is considered by this Court that the said Judgment of the said Court of appeals had for the Western Shore of the State of Maryland affirming the said Judgment of the City Court of Baltimore be reversed & annulled & that because the remanded to the said Court of appeals with directions

111 Jonathan Wormley
vs
Queen and Langstaffe

The plaintiff in error on this cause having solemnly called and three times by the Crier shall to appear and prosecute this his suit and not appearing. It is ordered that the writ of error in this cause be and the same is hereby dismissed with costs. —

The United States
vs
John Gooding

The argument of this cause was commenced by Mr. Mitchell for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 13th 1827.

Pursuant to adjournment the Court met this morning at the usual hour.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Gabriel Duvall — Associate Justices
Joseph Story
Smith Thompson
Robert Trimble.

All the matters being made the Court is opened —

1. George W. Ogden's Exr's vs Francis Sanders

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Louisiana district and was argued by counsel On consideration Whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in said cause be and the same is hereby affirmed with cost. —

4. Phileman B Sloo & Jarvis Smith vs Thomas Benedict & Charles Richardson

This cause came on to be heard on a Transcript of the Record of the Court for Trial of Impeachments and the Correction of

errors of the State of Connecticut and was argued by counsel, on consideration whereof, It is ordered and adjudged by this Court that the Judgment of the said Court for the want of Jurisdiction and the correctness of errors of the State of New York in said cause be and the same is hereby affirmed with costs.—

Robert G. Shaw
vs
Abram Robins

This cause was argued by Counsel on a Transcript of the Record of the Supreme Court of the State of Ohio being the highest Court of Law in the Constitution and Laws of Ohio was argued by Counsel On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Supreme Court of the State of Ohio being the highest Court of Law in the Constitution and Laws of Ohio in said cause be and the same is hereby reversed and annulled and the cause to be remanded to the said Supreme Court of the State of Ohio with directions for further proceedings to be had therein according to Law.—

The United States
vs
John Goodwin

This cause was further argued by Mr Mitchell for the defendant in Error and the attorney general for the plaintiff.

Proclamation being made the Court is adjourned until tomorrow

Wednesday March 15th 1827.—

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon. able John Marshall Chief Justice
William Johnson
Gabriel Duvall
The Hon. ble Joseph Story Associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.—

Bureau de la Croix
vs
Wm. H. Chamberlain

This cause came on to be heard on a Transcript of the Record of the District Court of the United States for the District of Alabama and was argued by Counsels on consideration whereof It is ordered and adjudged by this Court that the Judgment of the said District Court in this cause be and the same is hereby affirmed with costs, there being no error in the Judgment of the said District Court.—

The United States
vs
John Gooding

This cause was further argued by the Attorney General for the plaintiffs

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

Thursday March 15th 1827.

Pursuant to adjournment the Court met this morning at the Capitol,

PRESENT

The Honorable John Marshall Chief Justice
Bushrod Washington
The Honorable: William Johnson Associate
Gabriel Duvall Justices
Joseph Story
Smith Thompson
Robert Trimble

Proclamation having been made the Court is opened —

101. The Post Master General of the United States
vs
Eleazer Ely & others

This cause came on to be heard on a certificate of division in opinion of the Judges of the Circuit Court of the United States for the Georgia District on the question on which the said Judges were divided and opinion and was argued by counsel. On consideration whereof It is ordered by this Court to be certified to the Judges of the said Circuit Court that the said Circuit Court has jurisdiction in this cause —

Thursday March 15th 1827 Cont.

The United States
vs
114. Samuel Acre, John Howes & William Henry

This cause came on to be heard on a Transcript of the Record of the Decree and Decree of the District Court of the United States for the Southern District of Alabama and was submitted on the Record by the Counsel for the Court for consideration whereof. It is ordered and adjudged by this Court that the Judgment of the District Court in this cause be and the same is hereby affirmed. —

The United States
vs
151. 360 Chests of Tea
Lippincott & Co Claimants

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the Southern District of New-York and was argued by Counsel on consideration whereof It is ordered and decreed by this Court that the decree of the said Circuit Court in said cause be and the same is hereby affirmed. —

George Mason & Alexander Moore —
vs
Matilda Kennedy for herself and children

This cause was argued by Mr Lear for the Plaintiffs in Error & by Mr Key for the Defts in Error & further argued by Mr Sampson for the Plffs & by Mr Lowrie for the defendants in Error —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock —

Friday March 16th 1827 –

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon.ble: Gabriel Duvall Associate Justices
Joseph Story
Smith Thompson

Proclamation being made the Court is opened –

The United States
vs
John Gaunt

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This cause came on to be heard upon a certificate of division in opinion of the Judges of the Circuit Court of the United States for the District of Maryland and was argued by counsel on a consideration whereof it is ordered and adjudged that the following opinions be certified as the opinions of this Court on the points of difference in the Circuit Court aforesaid –

First: That the Testimony of Capt.n Peter T. Scott set forth in the record was under the circumstances of the case admissible as competent evidence against the Defendant in Error –

Secondly That the opinions prayed for by the counsel for

ver the defendant appearing in the first and by the Charges for set forth in the Record were correct in Law and ought to have been given by the Court

Fourthly - That the appearance prayed for in and the other proceedings of the defendant were incorrect in Law and ought to have been refused -

Fourthly - That the objections taken to the form and sufficiency of the indictment by the defendant Counsel were not matters of right which the defendant might insist upon and discuss and require to be decided during the Trial of the issue by the Jury, and that the same should according to the regular course of practice have been discussed on a motion to quash the indictment or on demurrer, or on motion in arrest of Judgment - But that the Court had nevertheless competent authority in the exercise of a sound discretion to permit such objections to be discussed and decided during the Trial. —

George Mason and Alexander Moore

65 -

Mary Ann Moore for herself and her children

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in the County of Washington and was argued by Counsel, On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and

annulled and that the cause be remanded to said Circuit Court with directions to award venire facias de novo. —

Isaac A. Daniel and William Kavanaugh
103 vs
Christian E. Williamson Wife & Michael D. Ramsdelph and wife

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the Georgia District, and was argued by Counsel On consideration whereof. It is ordered and decreed by this Court that the decree of said Circuit Court in said cause be and the same is hereby affirmed with costs. —

Francis Farrel
184 vs
The United States

This cause came on to be heard on a Transcript of the Record of the Circuit Court of the United States for the Georgia District and was submitted to the Court on the Record by the Counsel On consideration whereof It is ordered and decreed by this Court that the decree of said Circuit Court in said cause be and the same is hereby annulled and annulled and that the cause be remanded to said Circuit Court with directions to reverse the same. —

Joseph W. Swann on behalf in Error. On Motion of W. Swann of Counsel for the defendant in Error this cause was ordered to be docketed and

186 vs

The Columbian Insurance Company of Alexandria, defendants in Error

dismissed, the plaintiffs in Error (who had prayed the writ of Error having omitted to file the record with the Clerk of this Court pursuant to the rules of this Court whereupon the same is hereby dismissed.

Micajah T. Williams ... On Motion of W. Wirt of Counsel for the plaintiff in Error moved the Court for a rule

185. vs

The Bank of the U. States

on Jesse Embree and Davis Embree to appear at the next Term of this Court and shew cause if any they have why Micajah T. Williams their co. plaintiff in Error, shall not be allowed to assign errors separate and apart from them the said Jesse Embree and Davis Embree, On consideration whereof, It is ordered by the Court that the said Jesse Embree and Davis Embree, do shew cause if any they have, why the said Micajah T. Williams their co. plaintiff in error shall not be allowed to assign errors separate and apart from them, at the next Term of this Court to be holden at Washington City, the Seat of the National Government on the Second Monday of January in the year of our Lord Eighteen hundred & twenty eight in

Friday March 1st 1827 Cont? 883

Proclamation being made the Court is adjourned to the time and place appointed by Law.

At a Session of the Supreme Court of the United States begun and held at the Capitol of the United States in the City of Washington being the present Seat of the National Government of the United States on the first Monday of August being the day of the same Month in the year of our Lord One Thousand eight hundred and twenty Seven and of the Independence of the United States the Fifty Second Agreeably to the Statute in such case made and provided The Honble: one of the Associate Justices of the said Supreme Court of the United States and President of the Fourth Circuit in the State of Maryland was present and the Clerk of the said Supreme Court attending.

It is ordered by the said Court that the following entries be made in the following actions to wit: —

William Brumfield Executor vs. Paul Francis Nathans	Continued from last Term. Continued.
2. John Hamilton and William Mary vs. Joshua Bonney's Heirs	Continued from last Term. Continued.

	Allan McLane Claimt of a moiety of Cargo of the Ship Good Friends	Continued from last Term
3.	vs.	
	The United States	Continued
	John Gazzler	Continued from last Term
4.	vs.	
	The Union Bank of Georgetown	Continued
	Clement T. Hewitt	Continued from last Term
5.	vs.	
	Thos Rousmaniere admr	Continued
	John Delacy	Continued from last Term
6.	vs.	
	Abraham Smith	Continued
	Joseph Smith & son	Continued from last Term
7.	vs.	
	Adams, Herbert & Co	Continued
	The Columbian Insurance Company of Alexandria	Continued from last Term
8.	vs.	
	Thos Stewart use Semmes	Continued

	George Norman Rathers	Continued from last Term
	vs	
9.	The Mechanics Bank of Alexandria	Continued
	Christian St Amand	Continued from last Term
	vs	
10.	John Prandegee	Continued
	Christian St Amand	Continued from last Term
	vs	
11.	John Prandegee	Continued
	Lemay African Slaves.	Continued from last Term
	The Governor of Georgia Elt	
	vs	
12.	Juan Madrazo	Continued
	The Governor of Georgia	Continued from last Term
	vs	
13.	Lemay African Slaves Juan Madrazo Clt	Continued
	Henry Riggle and Alexander Ferguson	Continued from last Term
	vs	
14.	Estate of John Smith J.	Continued

August Term 1827

15.	Lefee McKay & al vs Joseph F. Spangler adm of Joseph Stover	Continued from last Term Continued
16.	Planters Western Bk vs The City Council of Charlestn	Continued from last Term Continued
17.	Daniel Parker The United States	Continued from last Term Continued
18.	Daniel Cornell of Custis Joshua Peake	Continued from last Term Continued
19	Randolph Harrison James Hopkirk surv Gardner &c	Continued from last Term Continued
20.	James L. McKenna vs Thos The Bank of Potomac	Continued from last Term Continued
21.	Reuben M Whitney The United States	Continued from last Term Continued

	William	Patterson	Continued from last Term
22.		vs	
	John	McKim Jr	Continued
	Robert	Perry	Continued from last Term
23.		vs	
	James	Funk & Peters	Continued
	The Bank of Washington		Continued from last Term
24.		vs	
	Triplett	& Neale	Continued
	Geo. on acc: of A. Elmore		Continued from last Term
25.		vs	
	William G. Goymes & John I.	Beattie	Continued
	Anthony Kennedy admr		Continued from last Term
26.		vs	
	Joseph	Smith	Continued
	Joseph	Maranville	Continued from last Term
27.		vs	
	Haly	and Suckley	Continued
	The Mechanics Bank of Alexandria		Continued from last Term
28.		vs	

August Term 1827 -

	The Mechanics Bank of Alexandria	Continued from last Term
29.	Louisa & Ann M. Sealor by M. F. Clarke their Guardian	Continued
	Charles Glover	Continued from last Term
30.	William Morton	Continued
	Charles Glover	Continued from last Term
31.	Owen & Longstreth	Continued
	James Grimsley	Continued from last Term
32.	Washington Bayliss's administrator	Continued
	Geo. R. Gaither	Continued from last Term
33.	The Farmers & Mechanics Bank of Geo Town	Continued
	William Thornton	Continued from last Term
34.	The Bank of Washington	Continued

	Robert Brents Exrs		Continued from last Term
35.	vs		
	The Bank of Metropolis		Continued
	James Mathews Exrs and Representatives		Continued from last Term
36	vs		
	Robert Stanley Exrs		Continued
	Abraham P Bennett & another		Continued from last Term
37	vs		
	Adam Shealoque		Continued
	Caroline Carnegy & another		Continued from last Term
38.	vs		
	Ambrose Lewis		Continued
	Henry Wright Exrs		Continued from last Term
39.	vs		
	Estate of Levi Wallingford & others		Continued
	Daniel Rhea Exrs		Continued from last Term
40.	vs		
	Daniel Skinner		Continued

	Fernando de la Maza Arredondo Junior &c	Continued from last Term
41.	vs	
	Cooper Ward	Continued.
	Buck and Kidwick	Continued from last term
42.	vs	
	The Chesapeake Insurance Company	Continued
	The Farmers Bank of Virginia	Continued from last Term
43.	vs	
	The United States and Howard Shields & others	Continued
	The United States	Continued from last term
44	vs	
	Charles H. Mallory's admr & others	Continued
	James D. McLanahan & al	Continued from last term
45.	vs	
	The Universal Insurance Company	Continued
	William G. Buckner	Continued from last term
46.	vs	
	Thomas Finley & another	Continued

	James K. Hamberg Lessee &c	Continued from last Term
47.	vs	
	Martin Baker & others	Continued
	Christian Breckenfeld & another	Continued from last Term
48.	vs	
	The Bank of the State of Georgia	Continued
	John Morel & another	Continued from last term
49.	vs	
	The Post Master General of the United States	Continued
	John Barnes & others	Continued from last term
50	vs	
	Richard B Mason & Sipes	Continued
	Old Grant on the demise of Samuel Meredith	Continued from last Term
51.	vs	
	John McKee for the use &c	Continued
	Samuel McMahon Lessee	Continued from last term
52.	vs	
	James Mathews & others Lessee	Continued . .

53.	James Elliot & others vs. William Pennell & others	Continued from last Term
	Defts	Continued
54.	Francis Hopkinson's Exrs vs. Andrew Reaman	Continued from last term Continued
55.	The Marine Insurance Company of Alexandria vs. Alexander Symmes	Continued from last term Continued
56.	The Bank of Columbia vs. Peter Knox Gardner	Continued from last term Continued
57.	James Tinley & others vs. Thomas L. Hindes Exrs	Continued from last term Continued
58.	The United States vs. The Salem Bank of Virginia	Continued from last Term Continued

59	Williams	Haney	Continued from last term
	"	"	
	Williams	Bayard & others	Continued
60	Garish	Shimmelpennick & others	Continued from last term
	"	"	
	Williams	Bayard & others	Continued
61.	Stephen	(Waring)	Continued from last term
	"	"	
	James	Jackson ex dem	
	Mead	Eaon & another	Continued
62	Stephen	Waring	Continued from last term
	"	"	
	James	Jackson ex dem	
	Mead	Eaon & another	Continued
63.	Selby	Rawles & others	Continued from last term
	"	"	
	Bank	of Columbia	Continued
64.	Robert	Barry	Continued from last term
	"	"	
	Thomas	Tayloe	Continued

August Term 1827.—

65.	The Columbian Insurance Company of Alexandria vs. Richard Gardner	Continued from last term. Continued.
66.	Hiram Craig vs. The State of Mississippi	Continued from last term Continued.
67.	Robert S. Davis & others vs. The State of Mississippi	Continued from last Term Continued.
68.	Thomas Watson vs. The State of Mississippi	Continued from last term Continued
69.	The United States vs. Nicholas Stanchung & another	Continued from last term Continued
70.	Charles W. Harkness vs. Francisco Y Mas Y Farar and another	Continued from last term Continued.

	Julia De Forest admx of David B. De Forest vs	Continued from last term
71.	Paul Schroon Consul of Spain.	Continued
	The American Insurance Company of New York and Ocean Insurance Company vs	Continued from last term
72.	336 Bales of Cotton - Saved Court Claimant	Continued
	Thomas Spratt & others Respts. vs	Continued from last term
73.	Sarah Spratt	Continued
	The Post Master General of the United States vs	Continued from last term
74.	Peter Cox and others	Continued
	Montgomery Bell vs	Continued from last term
75.	Charles Wilkins and others	Continued.

August Term 1827.—

	Sarah Mcallisterafft	Continued from last term
76	vs	
	Nancy K. Mcallisterafft	Continued.
	The United States	Continued from last term
77	vs	
	422 barks of lime — Hazard & Mcilhaney Exts	Continued
	Anthony Butler	Continued from last term
78	vs	
	The Commercial Bank of Lawrenceville	Continued
	Sarah F Scholars heirs and devisees	Continued from last term
79	vs	
	Mcilhaney Barton & others	Continued
	Sarah F Scholars heirs and devisees	Continued from last term
80.	vs	
	Victor Gaumard	Continued
	The Post Master General of the United States	Continued from last term
81.	vs	
	Solomon Southwick & others	Continued —

	Anthony Butler		Continued from last term
82.		vs	
	Sterling M. Barnes		Continued
	Walter & Clement Smith		Continued from last term
83.		vs	
	George Johnson		Continued
	George Johnson		Continued from last term
84.		vs	
	Walter & Clement Smith		Continued
	John Stumps Executor		Continued from last term
85.		vs	
	George Juncals Executor and others		Continued
	James [illegible]		[illegible]
86.		vs	
	James Jacques Roland Executors		Continued
	The Mechanics Bank of Alexandria		Continued from last term
87.		vs	
	Adam Lynn		Continued

	John	Taylor	Continued from last term
88.		vs	
	Elisha	Riggs	Continued.
	James	M'Donald	Continued from last term
89.		vs	
	Freeman	Smalley & others	Continued
	Duncan	M'Arthur	Continued from last term
90.		vs	
	W. T.	Porter & Piper	Continued
	James	Jackson ex dem Lary Anderson	Continued from last term
91.		vs	
	John	Clark & others	Continued
	Humphry	Fullam & others	Continued from last term
92		vs	
	The Bank of the No. States		Continued
	Robert	Steele & Piper	Continued from last term
93.		vs	
	John	Spencer	Continued
	Robert	Barry	Continued from last term
94.		vs	
	Griffith	Coombe	Continued

	The Bank of Columbia vs.	Continued from last term
95.	John Lawrence	Continued
	Williams & Nicholls and others vs.	Continued from last term
96.	Thomas Lo. Hodgis Executor &c.	Continued.
	Alison Ralf Tenant vs.	Continued from last term
97.	Lefee of A. Barland and others	Continued
	John Pray's Executors vs.	Continued from last term
98.	George G. Belt Trustee &c. and another	Continued
	Nathaniel Tennant's Exrs vs.	Continued from last term
99.	Lucas Elmendorf	Continued
	William B. Alexander and others vs.	Continued from last term
100	Eliza Brown	Continued

The Louisville Insurance Company — Continued from last term

101. no

Tobias Ford & another — Continued

Abraham Renable vs Thos — Continued from last term

102. no

The Bank of the U. States — Continued

The Bank of Kentucky — Continued from last term

103. no

Pepper of Ambrose Dudley &c — Continued

William Bayne vs Thos — Continued from last term

104. no

Rutger Jan Schimmelpennick — Continued

Richard Biddle admr — Continued from last term

of John Wilkins dec'd

105. no

James D. Wilkins — Continued

James Connelly vs Thos — Continued from last term

106 no

Richard Taylor vs Thos — Continued

Pepper of James Hamilton — Continued from last term

107. no

Hunt and Lane — Continued

August Term 1827-

108. John Mc King & others vs Continued from last term
James Hamilton & others Continued

109. Micajah T. Williams vs Continued from last term
The Bank of the U. States Continued

110. The Columbian Insurance Company of Alexandria vs Continued
Joseph Mc Cormick and Thomas Painexter

111. William Parsons vs Continued
Bradford Brudlove & Robison

112. William B Gardner vs Continued
John A. Collins & others

113. James Taylor & others vs Continued
David Nelson

August Term 1897.

	The United States	
114	vs.	
	Isaac T. Preston	Continued
	Attorney General of Louisiana	

	James Bayers Eyre	
115	vs.	
	Tiley Grundy	Continued.

Proclamations having been made the Court is adjourned to the time and place appointed by Law.—

At the Capitol of the United States in the City of Washington and District of Columbia being the Present Seat of the National Government of the United States On the Seconds Monday of January (being the fourteenth day of the same Month) in the Year of our Lord one thousand eight hundreds and twenty eight and of the Independence of the United States the fifty Second. The Supreme Court of the United States met agreeably to Law.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	Associate
The Honble	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.

On Motion first made to the Court it is ordered that Josiah Samuel A Peet of New York, James A Bennett of Ohio Edmund Bates of Missouri and Tobey Sprague of Maine be admitted to practice as Attorneys and Counsellors of this Court. —

 Monday January 24th 1898 Continued

The Court proceeded to call over the Dockets —

John Hawkins and
William May
vs
Joshua Barney's Heirs

On motion of the Plaintiffs of Counsel for the Plaintiff in Error. It is ordered that this cause be postponed until the result of an application pending before the Legislature of Kentucky for the State is in May hereof can be known the principles involved in said cause being of general interest to the Citizens of said State. —

Proclamation being made the Court is adjourned until tomorrow Morning at eleven O'clock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present -

The Honorable John Marshall Chief Justice
The Hon. Bushrod Washington, William Johnson, Joseph Story, Smith Thompson, Robert Trimble. Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court. It is ordered that Oliver H. Smith Esqr of Indiana be admitted to practice as an Attorney and Counsellor of this Court.

Peter Force, Gerret D. Hoy, Gerret Force & George S. Gideon Executors of Joseph Gardner Swormstedt plaintiffs in Error in this cause vs

The Postmaster General of the United States defendant in Error

This cause was argued by Mr Dunlop counsel for the plaintiffs in Error and by Mr Attorney General for the Defendants in Error.

John Gaylor

vs

The Union Bank of Georgetown

On motion of Mr Jones of Counsel for the plaintiff in Error & of Mr Key of Counsel for the defendant in Error. It is ordered by the Court that this cause

7. Joseph Smith & William Smith under the firm of Joseph Smith & Son Appls.
vs
Frances Adams & John L Hurlbut & Philip H Hinsop late traders under the firm of Adams Hurlbut & Co & Maurice Hurlbut

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia sitting in the County of Alexandria and on motion of Mr Swann of Counsel for the Appellants stating that the cause had been settled and by the consent of Mr Taylor of Counsel for the Appellees, It is adjudged and ordered by this Court that this cause be and the same is hereby dismissed.

8. The Columbian Insurance Company of Alexandria Pltff in Er
vs
Simon Stewart use of Alexander Simmes Defts

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia sitting in the County of Alexandria and on Motion of Mr Swann of Counsel for the Plaintiff in Error stating that the cause had been settled and by the consent of Mr Jones of Counsel for the Defendant in Error, It is ordered and adjudged by this Court that this cause be and the same is hereby dismissed

9. George Minor and others
vs
The Mechanics Bank of Alexa

The argument of this cause was commenced by Mr Taylor for the Pltffs in Error.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice.
	Bushrod Washington	
	William Johnson	
The Honble	Gabriel Duvall	Associate
	Joseph Story	Justices.
	Smith Thompson &	
	Robert Trimble	

Proclamation being made the Court is opened.

The Court announced the appointment of Richard Peters Esquire of Philadelphia to the Office of Reporter of the decisions of this Court vice Henry Wheaton Esq resigned.

106. The Franklin Insurance Company &c. appt vs. Silvius Tuck & Thomas Wells.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Massachusetts and on Motion of the Appellant and by the Counsel of Counsel of Appellee It is ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

7. George Minor and others &c. vs. The Mechanics Bank of Alexa

The argument of this cause was continued by Mr Taylor for the Plaintiffs in Error & by Mr Swann for the Defendants in Error.

Thursday January 17th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.—

Present.

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Hable:	Gabriel	Duvall	Associate Justices.
	Joseph	Story	
	Smith	Thompson Js	
	Robert	Trimble	

Proclamation being made the Court is opened.

On Motion first made to the Court. It is ordered that A Woodcock Esqr of New York be admitted to practice as an attorney and Counsellor of this Court.—

17. Randolph Harrison Ads appt
James Hopkirk Surviving Partner of Alexander Speirs
John Bowman & Comp.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Virginia and on Motion of Mr Hunt of Counsel for the Appellees and by the Consent of Mr Jones of Counsel for the appellants. It is adjudged and ordered by this Court that this cause be and the same is hereby dismissed. the Matters therein controverted being agreed and settled between the Parties.

—— Vide Agreement filed. ——

71. Jules Le Forest admx of Samuel Le Forest — appt
and
Paul Chacon Consul of Spain

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Maryland. And on motion of Mr Mc Mahon of Counsel for the appellant and by the consent of Mr Hoffman of Counsel for the Appellee It is ordered judged and ordered by this Court that this cause be and the same is hereby dismissed.

9. George Munn and Others
and
The Mechanics Bank of Alexa

The argument of this cause was continued by Mr Mc Mahon for the Deft in Error and concluded by Mr Jones in reply for the Plaintiffs in Error.

15. Jesse Duffey admx of Jesse Mc Elroy — Deft in Error
and
Joseph I Stanley admx of Joseph Fraser.

Mr Mc Mahon of Counsel for the Deft in Error moved the Court to dismiss this cause. And affirming on the Transcript of the Record filed in this Cause. That the Deft in Error was served with the Citation & a copy thereof agreeably to the law in this case made and provided and in Conformity to the Rules and practice of this Court And suggested for the Consideration of the Court whether the agreement filed in this cause in January Term 1827. by which the respective Counsel for both plaintiff and defendant in Error agreed to enter the appearance of the admx of the Deft in Error he not having been suggested on the Record at that Term of the

arising from the Grant of Service of the Relation or a Copy thereof.

Proclamation being made the Court is adjourned until To-morrow morning at eleven Oclock.

Friday January 18th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Honble: Gabriel Duvall Associate Justices.
Joseph Story
Smith Thompson
Robert Trimble

Proclamation being made the Court is Opened.

On motion first made to the Court, It is ordered that J. B. Tuthill and Troy of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court.

James L. McKinney, William T. Kennedy & Charles T. Chapman vs Peffle in Er. 20.
The Bank of Potomac

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by Counsel On consideration whereof, It is adjudged and ordered by this Court that the Judgment of the said Circuit Court in this case be and the same is hereby affirmed with Costs and damages at the rate of ten per centum per annum. —

23. Robert Perry - Plff in Er
vs
James Funk. John M'Ghee William Downey & Robt Kennedy

On motion of Mr White of Counsel for defendants in Error to dismiss this cause the plaintiff in Error being three times solemnly called to come into Court and prosecute his writ of Error to the Judgment of the Circuit Court of the United States for the District of East Tennessee and failing so to do. It is ordered and decreed that the writ of Error in this cause be and the same is hereby dismissed. —

24. The Bank of Washington
vs
Philip Pupfell & Christopher Neale

This cause was argued by Mr Key for the plaintiff in Error and by Mr Jones for the defendants in Error and by Mr Key in reply for the plaintiff in Error —

Mr Justice Duvall did not sit in this cause.

27. Joseph Manneville one of the firm of Richard Slade & Co
vs
Riely and Buckley

This cause was argued by Mr Swann for the plaintiff in Error and by Mr Taylor for the defendants in Error.

28. The Merchants Bank of Alexa
vs
Erum & Taylor & others —

This cause was argued by Mr Swann for the appellants and by Mr Taylor for the appellees.

29. The Mechanics Bank of Alexandria appt
vs
Louisa and Ann M. Fitzhugh by Nathaniel F. Mitchell their Guardian

The cause was argued by Mr Swann for the appellant.

Proclamation being made the Court adjourn until tomorrow morning at eleven Oclock.

Saturday January 1st 1808

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

	Bushrod Washington	
	William Johnson	
The Honble.	Gabriel Duvall	Associate Justices
	Joseph Story	
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened. —

The Bk Genl & Bk Genl of the United States vs Wm Jones

7th. Error to the Circuit Court of the District of Columbia

The Post Master General of the United States vs Wm Jones

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Southern District of New-York in the Second Circuit containing questions on which the Judges of that Court were divided in opinion which opinion was certified to this Court and was argued by Counsel, On consideration whereof this Court is of opinion. 1st That the District Court for the Northern District of New York have jurisdiction of the said Cause. 2d That the Sureties to the Bond on which the said suit was instituted are not exonerated or discharged from their liability on the said bond by the facts appearing on the Record and admitted by the Pleadings or

founds by the Jury — 3d That the said Court commit from the facts found as aforesaid by the Referee appearing by the Record be considered in Judgment of law as paid and satisfied & otherwise discharged — All which is directed to be certified to the Circuit Court of the United States for the Southern District of New York in the Second Circuit. —

On Motion first made to the Court, It is Ordered that James Bryant Squire of Pennsylvania be admitted to Practice as an attorney and Counsellor of this Court. —

The Marine Insurance Company of Alexandria vs. Geo Fitzhugh & Co.	The cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia and was

33.

argued by Counsel for the Company of Alexandria and on Motion of Mr Taylor of Counsel for the Defendant in Error it was ordered that the Mandate in Controversy have been settled and agreed upon by Consent of Mr Jones of Counsel for the Plaintiff in Error — It is adjudged and Ordered by this Court that this be and the same is hereby dismissed

Ex parte Stephen Treanor & others Trepas

75. Mr Sergeant of Counsel for Stephen Treanor & others moves the Court to set aside the dismissal made in the cause in which the Trepas of Stephen Treanor & others were plaintiffs in Error and Nancy Evans & others were defendants in Error from the Circuit Court of the United States for the District of Kentucky at January Term 1837 and to reinstate the cause on the Docket of this Court. on Saturday next the 20th inst is assigned for hearing said motion. —

Docket Ky. Jan 1838

Ex parte Trepas of Stephen Treanor & others.

76. Mr Sergeant of Counsel for Stephen Treanor & others moves the Court to set aside the dismissal made in the cause in which the said Trepas of Stephen Treanor & others were plaintiffs in Error and John Breckenridge & another were defendants in Error from the Circuit Court of the United States for the District of Kentucky at January Term 1837 and to reinstate the cause on the Docket of this Court. — Saturday next the 20th inst is assigned for hearing said motion. —

Docket Ky. Jan 1838

Old Grant on the demise of Samuel Meredith. pltff in Error

vs

John McKee for the use of the Bank of the Commonwealth of Kentucky —

51. Mr Brecklinridge of Counsel for the defendant in Error prayed to argue the rule made in this cause at January Term 1837 to shew cause why the writ of Error should not be dismissed for want of sufficient value of the premises in controversy not being of the value of $2000.

29. The Mechanics Bank of Alexa appt
vs
James & Ann M Pinkus & ux appts
by Nathaniel F Mitchell their Guardian

The argument of this cause was continued by Messrs Swann and Key for the Appellants & by Messrs Taylor & Jones for the Appellees.

30. Charles Glover appt
vs
William Marlow &
Isabella Thompson } Appees

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and the death of Charles Glover the appellant in this cause having been suggested by Mr Key and no appearance of the parties having been entered It is Adjudged and Ordered by this Court that this cause be and the same is hereby abated.

31. Charles Glover appt
vs
Thos Clusen & Grace T Longstreth

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and the death of Charles Glover the appellant in this cause having been suggested by Mr Key and no appearance of the parties having been entered It is Adjudged and Ordered by this Court that this cause be and the same

33. George R Gaither
Ass Plff in Er.
The Farmers & Mechanics Bank of George Town use of Thomas Corcoran — — —

The argument of this cause was commenced by Mr Taylor for the Plaintiff in Error.

Ex parte The Bank of Columbia
vs
George Sweeny

Mr Key of Counsel for the Bank of Columbia moves the Court for a rule to be served on the Judges of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington to be and appear before this Court on Saturday next to shew cause why a Mandamus should not issue to the said Judges commanding them to proceed to hear and issue joined in the case of the Bank of Columbia vs George Sweeny now pending before them as ordered by the Bank upon the writs being sued out as prayed for in the charter of said Bank — On consideration whereof it is ordered by the Supreme Court of the United States that the rule prayed for be granted returnable on Saturday next and that the said Judges appear and shew cause on said day. —

Weill Post March 8th 1828

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice.
The Honble	William Johnson Gabriel Duvall Joseph Story Smith Thompson Robert Trimble	Associate Justices.

Proclamation being made the Court is opened.

On motion first made to the Court. It is ordered that Elbert Anderson Esquire of New York be admitted to practice as an Attorney & Counsellor of this Court.

Joseph Marcandetti one of the firm of Richard Wade & Co.,
Pltff in Err.
vs.
George Healy & Thomas Buckley
Partners merchants in trade under the firm of Healy & Buckley
Defts in Err.

This cause came on to be heard on the transcript of the Record of the Circuit Court of the United States for the District of Louisiana holden in and for the County of Alexandria and was argued by Counsel, On consideration whereof, It is adjudged and ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of [illegible]

33. George R Gaither Plaintiff in Error
vs
The Farmers & Mechanics Bank of Georgetown use of Thomas Corcoran

The argument of this cause was continued by Mr Taylor for the Plaintiff in Error by Mr Jones & Law for the Defendant in Error and by Mr Key in reply and conclusion for the Plaintiff in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.

Tuesday January 22d 1828

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
The Hon'ble.	William Johnson Gabriel Duvall Joseph Story Smith Thompson Robert Trimble	Associate Justices.

Proclamation being made the Court is Opened.

On motion Ordered that Charles B Goddard Esqr of Ohio & Reuben Riddle Esqr of Pennsylvania be admitted to practice as attorneys & counsellors of this Court.

	Tenney Africam Planes The Governor of Georgia Claimt	The argument of this cause was commenced by Mr
12.	vs	Berrien for the Claimants &
	Juan Madraza	by Mr Wilde for Juan Madraza

	The Governor of Georgia	The argument of this cause was
13.	vs	commenced by Mr Berrien for
	Tenney Africam Planes Juan Madraza. Claimt	the Governor of Georgia & by Mr Wilde for Juan Madraza.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice.
	William Johnson	
	Gabriel Duvall	
The Hon'ble	Joseph Story	Associate Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is Opened.

	Primary African Slaves	The argument of this cause
	The Governor of Georgia Claimt	was concluded by Mr Berrien
12.	vs	for the Claimants.
	Jesse Maddox	

	The Governor of Georgia	The argument of this cause
13	vs	was concluded by Mr Berrien
	Primary African Slaves	for the Governor of Georgia.
	Jesse Maddox Claimt	

	Henry Riggle & Hezekiah	The death of Hezekiah Ferguson one of the plaintiffs in
	Ferguson — plffs in Error	Error in this cause having
14.	vs	been suggested by Mr White
	The Lessee of John Smith T	and Henry Riggle the other
		plaintiff in Error in this

cause having been three times Solemnly called by the Marshall to come into Court and prosecute this writ of Error to the Judgment of the Circuit Court of the United States for the district of East Tennessee and failing to appear; It is adjudged and ordered by this Court that the writ of Error in this cause be and the same is hereby abated as to the said Alexander Ferguson and that the same be and hereby is dismissed as to the said Henry Riggle. —

Daniel Carroll of Md.		The argument of this cause
18.	This	was commenced by Mr Law
	Iff in Er	for the Plaintiff in Error &
Joshua Peake		by Mr Jones for the defen-

dant in Error and by Mr Key in reply for the Plaintiff in Error. — . —

James Mathers Heirs and		This cause was argued
Legal Representatives appls		by Mr Finnegan for the
36.	Es	Appellants and by Mr Ap-
Richard Tinsley Exrs and Legal		pleton and Coxe for the
Representatives. —		Appellees. —

The President Directors & Company of the Farmers Bank of Virginia
43. vs. Appl[t]s
The United States of America vs Warner Thacker & Catherine his wife and Fleming Mallory Henry K. Mallory William I. Mallory Charles K. Mallory the last five of whom are infants under the age of twenty one years and Miles, King adm[r] of Charles K. Mallory

On motion the Attorney General (Mr. Wirt) to dismiss the appeal in this cause. The appellant having been three times Solemnly called to come into Court and prosecute his appeal from the decree of the Circuit Court of the United States for the District of Virginia and failing to appear, It is decreed and ordered that the appeal in this cause be and the same is hereby dismissed with Costs.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock.

Thursday January 21st 1808.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall,	Chief Justice
The Honble:	William Johnson Gabriel Duvall Joseph Story Tho: Thompson Robt Trimble	Assocate Justices

Proclamation being made the Court is opened.

36. James Mathews Heirs & Legal Representatives — appt
vs
Robert Blankes Heirs & Legal Representatives. ——

The Court not conceiving the question whether this Court has jurisdiction of the cause apparent from the inspection of the Record alone; It is ordered that Counsel proceed to the argument of the cause. ——

39. Henry Wright and others, Appts in
vs Error
The Bishop of Durham Hastings and John Wright

The cause was argued by Mr White for the Plaintiffs in Error and by Mr Brooke for the defendant in Error and by Mr White in reply and by Mr Chilton for the Plaintiffs in Error

On Motion Leave made to the Court. It is ordered that Thomas Ewing Esquire of Ohio be admitted to practice as an attorney and Counsellor of this Court. —

Daniel Rhea and others		This cause was argued by Mr Love for the appellants and by Mr Key for the appellee.
40	"vs"	Appl't
Daniel Renner		

John Clay - Pl'ff in Er.		This cause was argued by Mr Thompson for the Plaintiff in Error. No Counsel appearing on behalf of the Defendant in Error. —
6.	"vs"	
Abraham Smith		

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Friday January 25th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice.

	William Johnson	
	Gabriel Duvall	
The Honble.	Joseph Story	Associate Justices.
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

36. James Mather's Heirs & Legal Representatives — appts
vs
Robert Hankes Heirs & Legal Representatives — appees

This cause was argued by Mr Livingston for the appellants & by Mr Key & Mr Swift for the appellees & by Mr Livingston in reply & concluded for the Appellants

17. James K. Hosking, demandt &c
vs
Martin Baker & wife & others — appts

This cause was argued by Mr Winchester for the appellant & moved affirming on behalf of the appellees.

12. Benjamin Busch and Thomas Hancock — pltffs below
vs
The Chesapeake Ins. Co. & company — appees

The argument of this cause was commenced by Mr Hoffman for the Plaintiffs below

Proclamation being made the Court is adjourned until tomorrow morning 10 o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John Marshall	Chief Justice.
	William Johnson	
	Gabriel Duvall	
The Honble:	Joseph Story	Associate Justices.
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened. —

Old Grant on the demise of Samuel Meredith plffs in Error

vs.

John M'Kee for the use of the Bank of the Commonwealth of Kentucky — ~~~~~

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Kentucky, and affidavit to filed in the cause, and on motion made by Mr Wickliffe of Counsels for the Defendant in Error and order thereon January 31st 1827 to assign the Court of Error in this cause unless cause should be shown by Mr Bill of Counsel for the Plaintiff in Error by the first day of this present Term or inspection of the Record and affidavits filed in this cause, It is Adjudged and ordered by this Court that the writ of Error in this cause be, and the same is hereby dismissed for want of Jurisdiction, it not appearing to this Court that the value of the Premises in controversy in this suit to Nine Thousand two Hundred

Benjamin Buck and Thomas Hedrick Plaintiffs below

42 "

The Chesapeake Insurance Company

The argument of this cause was continued by Mr Magruder for the Plaintiffs below — by Mssrs Mercer & Key for the Defendant below and by Mr Hoffman for the Plaintiffs below.

Proclamation being made the Court is adjourned until Monday Morning next at eleven Oclock.

Monday January 28th 1828.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
William Johnson
Gabriel Duvall
The Hon'ble Joseph Story Assocate Justices.
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

Benjamin Buck and
Thomas Hedrick
Plaintiffs below
vs
The Chesapeake Insurance
Company

The argument of this cause was concluded by Mr. Hoffman for the plaintiffs below.

James J. McTavish & others
Plaintiffs in Error
vs
The Universal Insurance
Company

This cause was argued by Mr. Monroe for the Plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present —

The Honorable John Marshall Chief Justice.

	William Johnson	
	Gabriel Duvall	
The Honble:	Joseph Story	Assocate Justices
	Smith Thompson &	
	Robert Trimble	

Proclamation being made the Court is opened.

33. George R. Gaither Plff in Er
vs
The Farmers & Mechanics Bank of Georgetown use of Thomas Corcoran Defendant

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel, on consideration whereof it is ordered and adjudged by this Court that the Judgment of the said Circuit Court be and the same is hereby reversed and annulled; and it is further ordered that the cause be remanded to the said Circuit Court with directions to award a venire facias de novo. —

(Jno. Mr. Justice Johnson)

Henry Wright, William Carothers
Robert Bernston, William Patton
Thomas Barnard & James Robertson
39. Vs Plffs in Er.
The Corpn of Geo. Hallingsworth
and John Vaughn

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of West Tennessee and was argued by Counsel on consideration whereof it is adjudged and ordered by this Court that the Judgment of said Circuit Court be and the same is hereby affirmed with costs.

(Mr Justice Trimble)

The President Directors & Company of the Bank of Washington
24 Vs. Plffs in E.
Philip Triplett & Thos Neale

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by Counsel on consideration whereof this Court is of opinion that the Circuit Court erred in refusing to instruct the Jury that if any business that the defendants conformed to their former usage in regard to such bills as the one in question in calling on the drawee for acceptance (the said drawee living from home) and not treating the same as dishonored, and giving notice thereof to the parties on the said bill. That their failure to treat the said bill as dishonored and to give notice accordingly of non acceptance did not discharge the drawer thereof from his liability to the plaintiffs. It is therefore considered by the Court that the said Judgment be reversed and annulled and that the cause be remanded to the said Circuit Court with directions to award a venire facias de novo and to proceed therein according to law. (Mr Chief Justice Marshall

Philip Hickey, George Mather
William Wikoff sen'r. Elizabeth
Wikoff Anna Hickey and Frances
Schenck Heirs & Legal Repre-
sentatives of James Mather dec'd
Plaintiffs in Error

vs

36.

Alexander B Starke, Theodore Starke
Horatio Starke, Mary Mannly late
Mary Starke Sophia Gilbert late
Sophia Starke, Elizabeth Starke
Thomas J Willson James Gillett &
Harriet his wife late Harriet Willson
Heirs & Legal Representatives of
Robert Starke deceased

This cause came on to
be heard on the Transcript
of the Record of the Supreme
Court of the State of Mis-
sissippi sitting in Chancery
and was argued by
Counsels, On consideration
whereof It is not affirming
that this Court has juris-
diction of the said cause)
It is adjudged & and
decreed by this Court
that the writ of Error in this
cause be and the same
is hereby dismissed.

C. J. Mc Ch. Just. Marshall

James J McLanahan & others
Plaintiffs in Error

vs

35.

The Universal Insurance
Company

The argument of this cause
was continued by Mr Mer-
rick for the Plaintiffs in
Error & by Mr Cozens &
Mr Ashton for the Defendant in Error

Proclamation being made the Court is adjourned
until to morrow morning at eleven o'clock

Wednesday January 30th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice
William Johnson
Gabriel Duvall
The Hon'ble Joseph Story — Associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

27. The Mechanics Bank of Alexandria vs Aff'ts
Louisa Peake & Ann Maria Peake Infants under the age of twenty one years by Nathaniel Rouse their Guardian.

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by Counsel. On consideration whereof It is decreed and ordered that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. "per Mr Justice Thompson"

45. James I. McKenna Law & Hoe vs Pl'ffs in Er.
The Universal Insurance Company

The argument of this cause was continued by Mr Hart for the defendant in Error and concluded by Mr Taney for the Pl'ffs in Error.

Proclamation being made the Court is adjourned until tomorrow

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
The Honble:	William Johnson Gabriel Duvall Joseph Story Smith Thompson Robert Trimble	Associate Justices

Proclamation being made the Court is opened.

78. Anthony Butler pltff in Er
&c
The Commercial Bank of Louisville

(W Utley suggests diminution of the Record in this case and moves for a certiorari & the Same is granted returnable on the first day of March next

82. Anthony Butler pltff in Er
&c
Sterling M. Barnes

(W Utley on the part of the Plaintiff in Error suggests diminution of the Record in this case viz That the copy of the Judgment referred to in the declaration and pleadings which is the foundation or cause of action is wholly omitted. On consideration whereof It is ordered by this Court that a writ of certiorari issue forthwith to the Judge of the District Court of the United States for the District of Mississippi commanding him to certify under the Seal of the said court what omissions shall be found and return the same

John Doe on Dem. John A Elmer — Pltff in Er.	This cause was argued by Mr Butler for the Plaintiff in Error & Mr Brown for the defendants in Error and by
25. vs	Mr Duffie in reply and concluded
William G Grymes and John I Beales ——	For the plaintiff in Error. ——

William G Buckner —	On motion of Mr Hoffman of counsel
26. vs Pltff below	For the plaintiff below. It is ordered
Thomas Finley and	that this cause be placed at
John Vanhear ——	the foot of the docket & postponed.

Ex parte Jane Dauphin	Mr Hoffman of Counsel for
administratrix &c ——	Jane Dauphin administratrix

moved the Court to grant a rule upon the Judges of the Circuit Court of the United States for the District of Delaware to shew cause why a mandamus should not issue to the said Judges commanding them to enter satisfaction in the case of the United States against Jane Dauphin administratrix &c. —

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. —

Friday February 1st 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

The Honble. William Johnson, Gabriel Duvall, Joseph Story, Smith Thompson, Robert Trimble — Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court It is ordered that John Whipple Esqr of Rhode Island and G O Belden Esqr of New York be admitted to practice as attorneys and counsellors of this Court

Christian Breckenridge appt. Henry Shultz Complt below. vs. The Bank of the State of Georgia

No. 18.

The question whether the Circuit Court of the United States for the Georgia District could exercise Jurisdiction of this cause was argued by Mr McDuffie on behalf of the Complainant below and by Messrs Wirt and Berrien for defendants below

Joseph Pearce & Robt Y Brent Exrs of Robt Brent Plffs in Er vs. The Bank of Metropolis — Deft in Error

No. 35.

This cause was argued by Mr Washington for the Plaintiffs in error & by Mr Key for the defendants & by Mr Swann in reply & conclusion for

56. The Bank of Columbia Plaintiff in Error
vs
Peter Hagner

The argument of this cause was commenced by Mr King for the Plaintiff in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven oclock.

Saturday February 2d 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
	William Johnson	
	Gabriel Duvall	
The Honble.	Joseph Story	Associate
	Smith Thompson	Justices.
	Robert Trimble	

Proclamation being made the Court is opened —

On motion first made to the Court It is ordered that Henry J. Williams Esqr of Pennsylvania and Theodore S. Fisk Esqr of New York be admitted to practice as attornies and counsellors of this Court. —

56. The Bank of Columbia, Plaintiff in Error. vs. Silas Wagner —

The argument of this cause was continued by Mr Key for the plaintiff in Error and by Mr Jones for the defendant in Error

Proclamation being made the Court is adjourned until monday morning next at eleven O'clock. —

Pursuant to adjournment the Court met this morning at the Capitol,

Present

The Honorable John Marshall, Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
The Hon'ble. Joseph Story — Associate Justices.
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

Lemuel Carroll, of &c. Pltff in Error
vs
18 Joshua Peake — Deft

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel on consideration whereof. It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with damages and costs.

("Jno Mc Lean Trimble")

Samuel Renner Hinkle and William Fosbine. Appts
vs
40 Daniel Renner

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel on consideration whereof It is ordered and adjudged by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed and the cause remanded for further proceedings.

55 The Bank of Columbia &c
vs
Peter Hagner

The argument of this cause was continued by Mr Jones for the defendant in Error and concluded by Mr Key on behalf of the Pltff in Error.

50. John Thomas & others
vs
Richard B Masons Exrs

The argument of this cause was commenced by Mr Rowan for the Plaintiffs in Error continued by Mr Mercklieffe for the defts in Error and concluded by Mr Rowan for the Pltffs in Error.

52. Samuel McMallon Tenant
vs
John Watkyns Lessee &c
& wife, Samuel Rhodes and Polly his wife & Cunningham & Watkyns

On motion of Mr Mercklieffe of Counsel for the defendants in Error to dismiss this cause Samuel McMallen the plaintiff in Error being three times solemnly called to come into Court and prosecute his writ of Error to the Judgment of the Circuit Court of the United States for the District of Kentucky and failing so to do. It is adjudged and ordered by this Court that the writ of Error in this cause be and the same is hereby dismissed at the costs of the plaintiff in Error.

63. Polly Rowles Executrix & admx of Joseph C Rowles & Susannah Rowles Joseph Rowles & Sukeana Rowles heirs at law of Joseph C Rowles dec'd
vs
The Bank of Columbia

On motion of Mr Jones of Counsel for the Appellants to dismiss this cause and by consent of Mr Key of Counsel for the Appellee. It is ordered and adjudged by this Court that the appeal in this cause be & the same is hereby

Francis Henderson. Pltff.
Plaintiff below

54. vs

Andrew Redman

The plaintiff in this cause being three times solemnly called to come into court and prosecute their suit and failing so to do. It is adjudged and ordered by this Court that this cause be and the same is hereby dismissed. ——

The Defts. of Thomas Spratt, Andrew. Pierce. Sarah. Sarah and Catherine Spratt.

73. vs Pltff in Err.

Sarah Spratt ——

The argument of this cause was commenced by Mr Love for the plaintiff in Error and continued by Mr King for the defendant in Error. ——

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. ——

Tuesday February 3d 1818.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice.
	William	Johnson	
	Gabriel	Duvall	
The Hon'ble	Joseph	Story	Associate Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.

On motion first made to the Court, It is ordered that Joseph T. Benham Esquire of Ohio be admitted to practice as an attorney and Counsellor of this Court.

George Mina, Philip N. Daniel, William and Smith Mina
vs
The Mechanics Bank of Alexa

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia, holden in and for the County of Alexandria and was argued by Counsel, On Consideration Whereof It is adjudged and ordered by this Court that the Judgment of said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum. Jos. Mc Lean Story

73 The Lessee of Thomas Swaren Pierce William Lovat Funk & Catherine Spratt Pltffs in Error

vs

Sarah Spratt Deft in Error.

The argument of this cause was continued by Mr Jones on behalf of the defendant in Error and concluded by Mr Doe for the Plaintiff in Error.

53. James Elliott & others Plaintiffs in Error

vs

The Lessee of William Pierce & others

This cause was argued by Mr Hunt for the Plaintiffs in Error and by Mr Wickliffe for the Defendants in Error.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven Oclock.

Wednesday February 6th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	William	Johnson	
	Gabriel	Duvall	
The Hon'ble	Joseph	Story	Associate Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened

Junius K. Hackley, devisee of James Henderson. — Appt

vs

Martin Baker & Hannah his wife Frances Clark Robert Boyce and Peter Mason for himself and as Guardian to Hannah K. Hamblet — Appees

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Seventh Circuit and District of Kentucky and was argued by Counsel on the part of the appellant

On consideration whereof this Court is of opinion that as the discovery sought by the original bill was obtained the suit ought not to have been dismissed nor ought the bill in the nature of a bill of review to have been entertained but the cause the relief sought by that bill was solely to enforce a forfeiture to which the plaintiffs title if he has any is complete at law. It was therefore proper to refuse the relief for which that bill prayed but as a general decree for a dismission on the merits may be considered as a decree

against the title on which the Court ought not to have decided the bill ought to have been dismissed without prejudice. -
It is therefore the opinion of this Court that there is error in so much of the decree of the Circuit Court as dismisses the bill of the plaintiff generally and that the said decree ought to be reversed and the cause remanded to the Circuit Court with directions to dismiss so much of the plaintiffs bill as prays relief on the ground of forfeiture without prejudice and to continue the injunction at the discretion of the Court —

(Pro: Mr. Ch. Jus: Marshall)

James Elliott & and others
vs
The Lessee of Wm Fenwick & others

The argument of this cause was continued by Mr Mitchell for the defendant in Error and concluded by Mr Key for the plaintiffs in Error. —

Robert Barry &c Appellants
vs
Thomas Boyles —

The argument of this cause was commenced by Mr Washington for the plaintiff in Error and by Mr Jones for the defendant in Error and concluded by Mr Boyle for the plaintiff in Error.

James Greenleaf &c Appellants
vs
A. J. Dallas & Eleanor his wife Executors & Richard Wallach surviving Executor of Washington Boyd &c

Mr Key of Counsel for the appellees in this cause moves to dismiss the appeal in this cause for want of sufficiency of the Security on the appeal Bond

The Columbian Insurance Company of Alexandria
vs
Richard Gardner

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria, and on motion of Mr Swann of Counsel for the defendant in error stating that the parties had made a compromise and that the matters in controversy had been agreed and settled between them. It is adjudged and ordered by this Court that the writ of Error in this cause be and the same is hereby dismissed.

Ex parte Jane Lamphin administratrix &c

On the motion of Mr Hoffman of Counsel for Jane Lamphin made at a prior day of this present Term (January 21 1828) praying this Court to grant a rule on the Judges of the Circuit Court of the United States for the District of Delaware to shew cause why a mandamus should not issue to the said Judges commanding them to enter satisfaction in the case of the United States against Jane Lamphin administratrix &c. It is considered and ordered by this Court that the rule prayed for be and the same is hereby refused.

And thereupon came and ordered the papers filed on this motion to be returned to (Mr Hoffman.) (4 papers filed.)

(Copy) (Mr Clerk Sue (Marshall"

Christian Breithaupt and Henry Shultz. Complts Coln.
vs.
The Bank of the State of Georgia

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Eighth Circuit and District of Georgia and on the points on which the Judges of that Court were divided in opinion and which were certified to this Court and was argued by Counsel On consideration whereof this Court is of opinion that As the bill does not aver that the Corporators of the Bank of the State of Georgia, which Bank is defendant in the suit, are citizens of the State of Georgia the Circuit Court has no jurisdiction of the cause and can grant no relief. It is therefore ordered to be certified to the said Circuit Court as the opinion of this Court that in the present state of pleadings, it not appearing that the Defendants are citizens of the State of Georgia the Complainants are not entitled to relief in that Court.

Jno Mc Lean Jno Marshall

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 7th 1828.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
William Johnson
Gabriel Duvall
The Honble: Joseph Story Associate Justices.
Smith Thompson
Robert Trimble

Proclamation being made the Court is Opened.

Fernandez de la Maza Arredondo Executor of Jose de la Maza Arredondo and Henry Thomas — Appts

No. 41.

Dexter Ward — Respt

On motion of Mr Oakley of Counsel for the appellee to dismiss this cause, and the Appellants being three times solemnly called by the Marshall to come into Court and prosecute their appeal, from the decree of the Circuit Court Court of the United States for the Southern District of New York and failing to do so. It is ordered and decreed by this Court that the appeal in this cause be and the same is hereby dismissed with costs.

John Taylor Plff in Error

No. 88.

Elisha Riggs — Deft in Error

This cause was argued by Mr C. C. Cox for the Plaintiff in Error by Mr Jones Duncan and Key for the Defendant in Error and by Mr Coxe in reply & concluded for the Plaintiff in Error —

Proclamation being made the Court is adjourned until to-

Friday February 8th 1828.

Pursuant to adjournments the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble Gabriel Duvall
Joseph Story
Smith Thompson
Robert Trimble
Associate Justices.

Proclamation being made the Court is opened.

Benjamin Brooke and Thomas Hedrick
vs
The Chesapeake Insurance Company

43. This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Maryland and on the points on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court and recognized by counsel On consideration whereof this Court is of opinion 1st As the policies of insurance in this cause purport to insure the plaintiffs "for whom it might concern" they are not bound to prove that at the time of effecting the said insurance or any other time they disclosed to the assurers that Spanish property was intended to be covered by the said Insurance, unless enquiries on the subject were propounded by the assurers prior to the insurance. — 2d That if the Jury believed the facts of

the 6th of May 1822 was founded on the cover of the same date the said policy being "for whom it may concern" does cover belligerent as well as neutral interest.

3d That if the Jury believed that the policy dated 21st of May 1822 was founded on the letter of the 27th April 1822 and the order written thereon the policy being "for whom it may concern" does cover neutral as well as belligerent property.

4th That if the said Samuel Fitch at the time of the date of the said policies was legal and equitable owner of part of the cargo insured, and legal tho' not equitable owner of the residue. the Policies being "for whom it may concern" do cover the entire cargo and that that the said Fitch had a good insurable interest in the whole cargo and the plaintiffs as his agent are competent to recover the whole sum insured thereon on the proof of such legal and equitable interest in the said Fitch. — 5th That the letter of the 27th April 1822 whatever might be its effect if taken alone, yet taken in connexion with the endorsement thereon with the previous policy & which it refers, the actual state of the world and the nature of such transaction is not such a representation as vitiates the policy. All which is ordered and adjudged by this court & be certified to the said Circuit Court. —— "Jos. M. Dec. Johnson."

On Motion first made to this Court, It is ordered that Benjamin Gorham Esquire of Massachusetts be admitted to practice as an attorney and Counsellor of this Court.

32. James Greenleaf - Appt
vs
A. L. Dixon and Clarence Hastings Rose and Richard Wallach Exrs of Washington Boyd decd

The cause was argued by Mr Jones on behalf of the Appellant by Mr Key for the Appellee and in reply and conclusion by Mr Jones for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Saturday February 9th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall,	Chief Justice
	Bushrod Washington	
	William Johnson	
The Honble.	Gabriel Duvall	Associate Justices,
	Joseph Story	
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

On motion first made to the Court, It is ordered that Henry Baldwin Esqr of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court.

15. Levi Lincoln admitted of Counsel for Mr Ray and Mr Griffin

Joseph F Knapp admitted of Counsel for Joseph Gales &c.

The motion made in this cause by Mr West of Counsel for the defendant in Error at a former day of this present Term (Thursday 17th 1828) misconceived by Mr Leonard for the Plff in Error and by Mr West for the defendant in Error.

Levi Duffey admr of Jesse McKay decd pltff in Error

vs

Joseph F Spangler admr of Joseph Stone decd

13.

On motion of Mr Hunt of Counsel for the defendant in Error & dismiss this cause the death of Levi Duffey admr of Jesse McKay decd the plaintiff in Error having been suggested and no appearance of Representatives having been entered. It is adjudged and ordered by this Court that the writ of error in this cause be and the same is hereby abated. —

William Penrose and John Warners Heirs

vs

John M'Kim Jr

appts

22

On motion of Mr Hunt of counsel for the appellants. It is ordered that this cause be postponed and placed at the foot of the Docket. ——

The United States

vs

Pfft in Er.

422 Casks of Wine

Hazard & Williams. Claimts

77.

This cause was argued by Mr Attorney General Wirt for the plaintiff in Error. by Mr Ryan for the defendants in Error and in reply and conclusion by Mr Attorney General Wirt for the plaintiff in Error.

Montgomery Bell pltff in Er.

vs

Charles Wilkins James Monroe Anthony Butler & Jonathan Taylor. ——

73.

On motion of Mr Rowan suggesting the death of Charles Wilkins one of the defendants in this writ of Error It is ordered that this writ be & the same is hereby abated as to him the said Charles Wilkins. —

75. Montgomery Bell Plaintiff in Error
vs
James Morrison Anthony Butler & Jonathan Taylor

The argument of this cause was opened by Mr Butler for the plaintiff in Error.

Proclamation being made the Court is adjourned until Monday Morning next at eleven Oclock. —

Monday February 11th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present =

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
	Gabriel	Duvall	
The Assoct Js.	Joseph	Story	Associate Justices.
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened. —

35. Joseph Pearce & Robert Brent Exors of Robert Brent decd pltffs in Er
vs
The Bank of Metropolis — defft

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof It is adjudged and decreed by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs. —

"per Mr Justice Thompson delivered the opinion of the Court"

84. The Post Master General of the United States pltff in Error
vs
Coleman Southmayd & others defts

On Motion of the Attorney General of Counsel for the Plaintiff below and by consent of Mr Key of Counsel for the Defendants below This cause is submitted to the consideration of the Court on the Transcript of the Record without argument.

73. Montgomery Bell pltff in Er
vs
James Marr & others defts

The argument of this cause was continued by Mr Jones for the Defendant in Error & concluded by Mr Rawle for the pltff in Error.

Emma F. McComas and Josiah H. McComas her husband Sarah W. Lumbus and Robert Lumbus her husband Eliza M. Gould and William P. Gould her husband Mary A. Chetland Elizabeth Thompson and Elizabeth Bryall Heirs and Devisees of the late Sarah F. Chetland.

Plaintiffs in Error —

vs

79.

Willoughby Barton William Barnett Adam Downs Thomas F. Hallett John B. Hogan Archibald W. Gordon Samuel Hall Henry Wheat William Ramsey Benjamin Vincent Henry Hickney Thomas Hudson Charles Lewis Christopher Hearell Pierre H. Pennault Charles F. Matthews John Gist Nicholas Pope Francis M. Armstrong William Lindsey William S. Stone James Gadsen John W. Ward Henry F. Fleischman John Elliott Stephen Powell John F. Hall Joseph W. Moore Hosea Blake Barnet Ames Charles Sinclair George Chetland Nicholas Weeks Thomas Harlin Francis Parker Joseph Powell William Barnwell William H. Robertson Gideon Davenport Nathaniel Butterfield Jane H. M. Burton Stiles Chandler George Lamb William R. Hallett Henry Lodge Jonathan Meeker Philip Duval Amelia Duval William Duval Theodore Duval George Duval Catherine Duval Duval Duval Emma Poulnin Jane Robertson late Jane Poulnin and William H. Robertson her Husband Mary Campbell late Mary Poulnin and James Campbell her husband Jane M. Poulnin Lucinda Poulnin Susan Poulnin Henry Poulnin Leonard Patterson John Patterson William Patterson. —

Defendants in Error. —

On the Motion of Mr Wirt of Counsel for the Defendants in Error, the Plaintiffs in Error being three times solemnly called to come into Court and prosecute their writ of Error to the Judgment of the Supreme Court of the State of Alabama and failing so to do. It is Ordered and adjudged by the Court that the writ of error in this cause be and the same is hereby dismissed with costs. —

"C. M. Ch. Jus. (Marshall)"

30

Anne F. McComas and Sarah H. McComas her Husband Sarah W. Lawton & Robert Lawton Jr her Husband & Lizzie W. Gould and William P. Gould her Husband Warwick Shotard & Elizabeth Thompson & Elizabeth Bryatt Heirs and Devisees of the late Sarah F. Shotard Pltffs in Er.

vs

Victor Gaynard Deft in Error.

On the motion of Mr Mitt of Counsel for the Defendant in Error the Plaintiffs in Error being three times solemnly called to come into Court and prosecute their Writ of error to the Judgment of the Supreme Court of the State of Alabama and failing so to do It is adjudged and decreed by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs. —

70

Sarah Wallstonecraft

vs Pltff in E.

Nancy R Wallstonecraft

On motion of Mr F. S. Key of Counsel for the Defendant in Error the Plaintiff in Error being three times solemnly called to come into Court and prosecute her writ of Error to the Judgment of the District Court of the United States for the Eastern District of Tennessee and failing so to do. It is adjudged and decreed by this Court that the writ of error in this cause be and the same is hereby dismissed with costs. —

On motion first made to the Court It is ordered that James Kimball Esquire be admitted to practice as an Attorney and Counsellor of this Court. —

83.	Walter Smith & Clement Smith ... Piffs in Err. vs George ... Johnson	This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and on motion of Mr Key of Counsel for the Plaintiffs in Error stating that the parties had compromised and that the matters in controversy had been settled and agreed between them and by consent of Mr Jones of Counsel for the Defendant in Error, It is adjudged and ordered by this Court that the writ of Error in this cause be and the same is hereby dismissed.
84	George Johnson Piff in Er vs Walter Smith & Clement Smith.	This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and on Motion of Mr Key of Counsel for the Defendants in Error stating that the parties had compromised and that the matters in controversy had been settled and agreed between them and by consent of Mr Jones of Counsel for the Plaintiff in Error, It is adjudged and ordered by this Court that the writ of Error in this cause be and the same is hereby dismissed.
9a	Duncan McArthur Piff in Er vs Wesley T Peters Defen	This cause was argued by Mr Coleman for the Plaintiff in Error and by Mr Ewing for the Defendant in Error & in reply by Mr Coleman for the Plaintiff in Error.

Proclamation being made the Court is adjourned until

Tuesday February 12th 1828.

Pursuant to adjournment the Court (met this morning) at the Capitol,

Present:-

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Hon'ble:	Gabriel	Duvall	Associate Justices.
	Joseph	Story	
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made. the Court is opened. -

The Bank of Columbia
vs. Jeffries
Peter Wagner

This cause came on to be heard as to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel, On Consideration whereof, It is Adjudged and Ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

"Jno. M. Lee Thompson"

James T. McCahon,
Wilhelmus Bogart and
John I. Cocion. Jeffries
vs.
The Mutual Insurance
Company

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Maryland and was argued by counsel, On consideration whereof. It is Considered by this Court that there is error in the

opinion of the Circuit Court given to the Jury upon the prayer of the Defendants Counsel, that upon the whole evidence in the cause as stated on the record the Plaintiffs are not entitled to recover and that the verdict of the Jury ought to be for the Defendant that opinion having withdrawn from the proper consideration of the Jury matters of fact in controversy between the Parties. It is therefore further considered and adjudged that the Judgment of the said Circuit Court in this case be and the same is hereby reversed and that the cause be remanded to the said Circuit Court with directions to award a venire facias de novo.

"Jn Mr Jus. Story"

85. John Stumps Exrs &c vs &c Appts
Jno Clements Tyler & others

This cause was argued by Mr Swann for the Appellants by Mr E J Lee for the Appellees and by Mr Swann in reply and conclusion for the Appellants.

87. The Mechanics Bank of Alexandria - Appt vs &c
Adam Tyson -

This cause was argued by Mr Swann for the Appellant by Messrs Jones and Taylor for the Appellee & by Mr Mason in reply & conclusion for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol,

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
The Honble.	Gabriel Duvall	Associate
	Joseph Story	Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

On Motion Ordered that William Creighton Junr Esquire of Ohio and Francis B. Tillou Esqr of New York be admitted to practice as Attorneys and Counsellors of this Court.

Indian Affairs Slaves
The Governor of Georgia Plaintiff
vs
Juan Mariango

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the South Circuit and District of Georgia and was argued by counsel, On consideration whereof, This Court is of opinion that there is error in so much of the decree of the said Circuit Court as directs restitution of the slaves libelled by Juan Mariango and the issue of the females in the Custody of the Government of the State of Georgia or the agent or agents of

the said State and that the proceeds of those slaves who were sold by order of the Governor of the said State be found to the said Suan Madrazo the Circuit Court had no jurisdiction of a cause in which the plaintiff asserts to have a claim upon the State, and that the same ought to be reversed and it is hereby reversed and annulled and the libel of the said Suan Madrazo is ordered to be dismissed. And this Court is further of opinion that there is no error in the residue of the said decree and the same is hereby affirmed. And it is further considered and ordered that the said cause be remanded to the said Circuit Court with directions for further proceedings to be had therein according to law and justice and in conformity to this opinion.

"Mr Ch Jus Marshall" — "Mr Jus Johnson dissenting"

The Governor of Georgia appt

vs

13. Twenty African Slaves. Suan Madrazo claimt

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the South District and the District of Georgia and was argued by counsel. On Consideration Whereof this Court is of opinion that there is error in so much of the decree of the same Circuit Court as awards restitution of the slaves libelled by Suan Madrazo and the price of the females in the custody of the Government of the State of Georgia or the agent or agents of the said State, and that the proceeds of those slaves who were sold by order of the Governor of the said State be found to the said Suan Madrazo the Re-

the plaintiff assert a claim upon the State, and that the same ought to be annulled and it is hereby annulled and annulled, and the libels of the said Isaac Madrazo is ordered to be dismissed. And this Court is further of opinion that there is no error in the decision of the said decree and the same is hereby affirmed. And it is further considered and ordered that the said cause be remanded to the said Circuit Court with directions for further proceedings to be had therein according to law and justice and in conformity to this opinion. —

"P. M. Ch. Jus. Marshall." — "M. Jus. Johnson, dissenting." —

Robt Hooles Exrs
plaintiff in Error
vs
93. Jesse Spencer

This cause was argued by Mr Leonard for the plaintiff in Error by Mr Ewing for the defendant in Error and by Mr Leonard in reply and concluded for the plaintiff in Error. —

James Jackson ex dem
Eliz Anderson. Plff in Er
vs
91 John Clark & Robt Ellis

The argument of this cause was commenced by Mr Leonard for for the plaintiff in Error. —

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol,

Present:-

The Honorable	John Marshall	Chief Justice	
	Bushrod Washington		
	William Johnson		
	Gabriel Duvall	Associate	
The Hon'ble	Joseph Story	Justices	
	Smith Thompson		
	Robert Trimble		

Proclamation being made the Court is opened.

The Office of Thomas Tyndall, Executor, Peter William, Jacob Tarsh and Catherine Tyndall Plff in Er. vs. Frank Tyndall. Deft

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the said Circuit Court erred in awarding that Judgment ought to be rendered for the defendant & that the same ought to be reversed - Whereupon it is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be & the same is hereby reversed, & that the cause be remanded to the said Circuit Court with directions to enter Judgment for the plaintiff for the [illegible] which was assigned by the said Frank Tyndall while an Alien during the troublous times, and that his relation

Robert Barry Jffft &c
vs
84. Thomas Foyles &c

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel On consideration whereof. It is adjudged and ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

"Jn. Mc Ch Jus Marshall"

James Jackson ex dem
Lucy Thurston Jffft &c
vs
91. John Clark & Nath Ellicott

The argument of this cause was continued by Mr Leonard for the Plaintiff in Error. by Mr Creighton for the defendants in Error. & by Mr Leonard in reply for the Plaintiff in Error.

Robert Barry Appt
vs
94 Griffith Coombe

The argument of this cause was commenced by Mr Washington for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol. —

Present

The Honorable	John Marshall	Chief Justice.
	William Johnson	
	Gabriel Duvall	
The Honble:	Joseph Story	Associate Justices.
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

The United States — Jeffries
vs
422 Casks of Wine —
Hazard & Williams Claimts:

This cause came on to be heard on the Transcript of the Record from the District Court of the United States for the District of East Louisiana and was argued by Counsel, On consideration whereof It is considered and adjudged by this Court that there is no error in the Judgment of the said District Court of Louisiana in the premises and that the same be and hereby is affirmed — And it is further ordered & adjudged that there was reasonable cause of seizure of the wines and premises set forth in the information, and that a certificate thereof be entered of Record accordingly; and that the cause be remanded with directions to the District Court of Louisiana to make restitution to the Claimants and otherwise

Robert Barry Appt vs 94 Griffith Coombe	The argument of this cause was continued by Mr Watkins for the applicant and by Mr Jones for the Appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Gabriel Duvall Associate
Joseph Story Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is Opened.

James Elliott & Benjamin Elliott Executors Daniel Fowler Late Sheriff Talbot Elliott and Wilfred Elliott Plaintiffs in Error.

vs.

53.

The Heirs of William Pursel Lyon Pursel Ann Nash Jane Nash Elizabeth Nash and William Nash. Defendants

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel on consideration whereof, It is the Opinion of this Court that there is no error in the Judgment and proceedings of the said Circuit Court in this cause and it is Ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

"Jno. M. Jus: Trimble"

94.	Robert Barry - Appt vs Griffith Coombe	This cause was further argued by in reply and conclusion by Mr Core for the appellant. —
95.	The Bank of Columbia Plaintiff in Error vs John Lawrence —	This cause was argued by Mr Lindsay for the plaintiff in error by Messrs Swan and Jones for the defendant in Error and in reply and conclusion by Mr Key for the plaintiff in Error. —

Proclamation being made the Court is adjourned
until Monday Morning next at eleven Oclock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
The Hon'ble	Gabriel Duvall	Associate Justices
	Joseph Story	
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

On Motion it is ordered by the Court that Ogden Hoffman and Charles S. King Esquires of New York be admitted to practice as attornies and counsellors of this Court.

85. John W. Thomp and John Archer Exrs of John Thomp dec'd Plts in Error
vs
Mary Deneale, Widow and Executrix of George Deneale dec'd, Charles T. Conrad & Ann Lucretia his wife Mary Catharine William H. & Nancy P. Deneale children and representatives of Geo Deneale dec'd Defts in Error

This cause came on to be heard on the Transcript of the Record from the District Court of the United States for the District of Columbia holden in & for the County of Alexandria by virtue of the Act of Congress in such case made & provided, & was argued by Counsel. On consideration whereof, It is the Opinion of this Court that there is no error in the decree of the said District Court in this cause. It is therefore decreed and ordered by this Court that the decree of the said District Court in this cause dismissing the bill of the Complainants be and the

The Post Master General of the United States plaintiffs

81. vs

Solomon Southwick Spencer & Stafford & John W.T. Yates

This cause came on to be heard on the Transcript of the Record of the Circuit Court of the United States for the Second Circuit and Southern District of New York and on the Points on which the Judges of the said Circuit Court were divided in Opinion and which were certified to this Court for its opinion and was argued by Counsel, On consideration whereof this Court is of Opinion - 1st That the said Circuit Court had jurisdiction of the cause. 2nd That on the facts appearing on the Record as found by the Jury the Sureties are not exonerated from their liability upon the bond given by them as set forth in the Record. 3rd That from the facts found or admitted by the Pleadings as appearing by the record the said bond entitled to Judgment of law be considered as paid and satisfied as to the sureties as the same were discharged - All which is ordered to be certified to the said Circuit Court. - - "Fr. W. Exh. See Marshall"

Duncan McArthur plaintiff in Error

90. vs

Wesley Yates Defendant

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Ohio and was argued by Counsel; On consideration whereof It is the Opinion of this Court that the Judgment of the said Circuit Court in the cause is erroneous because the verdict is imperfect; It is therefore considered and adjudged by this court that the said Judgment be & the same is hereby reversed and annulled - And it is further ordered that this cause be remanded to the said Circuit Court with directions to award a

Ex parte The Depts of Stephen Sicard & others.

Mr Sergeant argued the motion made by him at a prior day of this Court (Jany 19 1828) to reinstate the cause in which the said Depts of Stephen Sicard & others was plaintiff in Error and Nancy Downs and others were defendants in Error (which was dismissed at the last Term (viz Feby 18 1827 for default of prosecution) in favour of the motion which was opposed in argument by Mr Meredith for the defendant in Error - The motion was argued in reply by Mr Sergeant.

Ex parte The Depts of Stephen Sicard & others

Mr Sergeant argued the motion made by him at a prior day of this Court (Jany 19 1828) to reinstate the cause in which the said Depts of Stephen Sicard & others was plaintiff in Error and John Sicard & Robert Sicard & others were defendants in Error (which was dismissed at the last Term (viz Feby 18 1827 for default of prosecution) in favour of the motion which was opposed in argument by Mr Meredith for the defendants in Error - The motion was argued in reply by Mr Sergeant.

William F. Nicholls & others plaintiffs in Error

vs.

Thomas Hodges Executor of Thomas L. Hodges dec'd

96.

The cause was argued by Mr Key for the plaintiffs in Error by Mr Cope for the defendant in Error, and in reply and conclusion by Mr Key for the plaintiffs in Error. —

Wilson McLane Claimant of a moiety of the forfeiture of the Cargo of the Ship Good Friends

3.

vs

The United States

Mr Sargeant of counsel for W. McLane moved the Court to continue this cause until the next term. It is therefore ordered to be continued.

James McDonald Appt

89.

vs

Frozen Smith & others.

Mr Coleman of counsel for the Appellant moves the court for information whether the Statement to be printed and furnished in pursuance the court in this case should be on the point of jurisdiction or embrace the merits of the case.

Hugh Sanders James Sanders, Nathaniel Sanders, Robert Sanders John Sanders, George W Sanders and the Children of Sarah Sanders late daughter of Nathaniel Sanders dec'd viz. Lewis Sanders & B F Sanders Samuel Sanders Nathaniel Sanders & Sarah Smith in right of his wife Lydia late Lydia Sanders — Thomas O'Neale in right of his wife Catherine late Catherine Sanders and his children viz. Lewis O'Neal, Robert O'Neal James O'Neal William O'Neal, Elam Holladay and his wife late Polly late Polly O'Neal. Jeremiah Garvey and Nancy his wife late Nancy O'Neal, John Smither and Betsey his wife late Betsey O'Neal. George W Sanders and Catherine his wife late Catherine O'Neal, Polly O'Neal, Franky O'Neal, Roza O'Neal

and Agnes Orrel Heirs at Law of Nathaniel Tanners deceased. vs Appellants.

99. This

Lucas Elmendorf. Appellee.

The appellants in this cause being three times solemnly called by the Marshal to come into Court and prosecute their appeal from the decree of the Circuit Court of the United States for the District of Kentucky and failing so to do. And the Appellee being likewise three times solemnly called by the Marshal to come into Court and open the record ex parte and failing so to do. It is ordered and decreed that this appeal be and the same is hereby dismissed.

"Ps. W. Ch: Jus. Marshall"

"The Letter of 11th June 1827 addressed to the Clerk of this Court by D. Tanners &c. &c. for the Heirs and by Solomon Talbot alle for the Appellees ordered to be filed." —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Tuesday February 19th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble	Gabriel	Duvall	Associate Justices
	Joseph	Story	
	Smith	Thompson	
	Robt.	Trimble	

Proclamation being made the Court is opened.

Robt Peebles Jepse vs Fitch & Jepse & Spencer

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Ohio and was argued by counsel. On consideration whereof It is adjudged and ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled; and it is further ordered that the cause be remanded to said Circuit Court with directions to award a Venire Facias de novo.

Js M. Lee. Trimble.

Ex parte. The Heirs of Stephen Pleasants & others.

On consideration of the Motion made by Mr Sergeant on a prior day of the present term (viz. Jany 19 1828) and which was argued on yesterday. It is Ordered by this Court that the Motion be overruled and the prayer refused. "Jos Mr Ch. Jus Marshall"

Ex parte. The Heirs of Stephen Pleasants & others

On consideration of the Motion made by Mr Sergeant on a prior day of the present term to wit, Jany 19 1828 and which was argued on yesterday - It is Ordered by the Court that the Motion be overruled and the prayer refused. - "Jos Mr Ch. Jus Marshall"

28. The Mechanics Bank of Alexandria -- Appt
vs
Evan P. Dayla & Rebecca his wife & Laurd Marll.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by counsel On consideration whereof this court is of opinion that the said Circuit Court erred in overruling the bill of the Complainants without previously settling and the decree which had been pronounced against the defendants and allowing the parties time to take Testimony unless the plaintiffs should bring the cause to a hearing on the bill and answer. This Court doth therefore decree & order that the said decree of the Circuit Court be reversed annulled & the cause be remanded to the Circuit Court for further

James McDonald Appt
vs
89. Freeman Smalley & others

On consideration of the motion made yesterday by Mr Baldwin - It is ordered that this cause be argued on the question of Jurisdiction alone.

"Ex Mr Chief Justice Marshall"

James McDonald Appt
vs
89. Freeman Smalley & others

This cause was argued on the question of Jurisdiction by Mr Baldwin for the appellant by Mr Hammond for the appellees & by Mr Loudridge in reply & conclusion for the Appt

William B Magruder & others
vs
100. Pltffs in Err
Eliza Brown

This cause was argued by Mr Swann for the Plaintiffs in error by Mr Jones for the defendant in error and by Mr Swann in reply and conclusion for the Plaintiffs in Error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.

	Bushrod Washington	
	William Johnson	
	Gabriel Duvall	
The Honble.	Joseph Story	Associate Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

The Mechanics Bank of Alexandria — Appt

v.

Adam Lynn —

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by counsel, on consideration whereof. It is decreed and ordered by this court that the decree of said Circuit Court in this cause granting a perpetual injunction be and the same is hereby reversed and annulled, And it is further ordered by this Court that the cause be remanded to the said Circuit Court with directions, to continue the injunction until the bank has a reasonable time to file a cross bill - and that the continuance of such injunction be subject to such further order of the Court as equity and justice may require. "J. M. Mr Jus Thompson"

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Charles W. Harkans Plaintiff in Error vs Francisco Yellas Y Ferrer and Josef Antonio Yellas	This cause was argued by Mr Magee for the plaintiff in Error. by Mr Wirt for the defendants in Error and by Mr Hoffman in reply and conclusion for the plaintiff in Error.

70

The Bank of Columbia Plaintiff in Error vs The Estate of Ambrose Smith &c	This cause was argued by Mr Benham for the plaintiff in Error.

103.

The Court being made the Court is adjourned until to morrow morning at eleven oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice.
Bushrod Washington
Gabriel Duvall
Joseph Story
The Hon'ble Smith Thompson Associate Justices
Robert Trimble
William Johnson

Proclamation being made the Court is Opened. —

James M'Lemore Appt
vs
89
Truman Smedley Benj. Smedley
Thomas Austin Wm M'Kennett James
Kearns James Chester Sam'l T Fowden
Wm. Monroe James Monroe Geo. Stephenson
Kelly, John Keenan, George T Kearns
Wm Peile, Richard Coat Wm Kindley
John T Thomas, Israel Sargeant, Isaac
Wilcox Jun'r, George Joseph Dawson
Chester James Gallaway Jr. William
Smedley Thomas Smith, Wm Tyson
John Hinchley Wm. Joseph Ellis England
Briggs, James T Barker John Gallaher,
Isaac Monroe, John Kipshaw, Jun'r
Burton James Abbot Shoemaker
John Monroe, John Kindley Rent
Jonathan Peebles, Wm Ruble, That
Constant was a Vessel Molten. —

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of this was argued by Counsel — Upon the point of jurisdiction, on Consideration whereof, this Court is of opinion that there is error in the decree of the said Circuit Court dismissing the complainants bill. It is therefore decreed and adjudged by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed and annulled — And this Court further decreed that the cause be remanded to the said Circuit Court for further proceedings to be had therein according to Law & justice.

Pr. Mr. Ch. Jus. Marshall"

William B. Alexander
Jaane. Swann and
Thomas Swann ass
Plaintiffs in Error
100. vs
Eliza Brown

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by counsel, on consideration whereof It is adjudged and ordered by the Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Test. Wm. Ch. Jus: Marshall.

The Bank of Hamilton
Plaintiff in Error
103. vs
The Dean of Ambrose Lindley &

The argument of this cause was continued by Mr. Benham for the plaintiff in Error by Mr. Hammond for the defendant in Error and by Mr. Baldwin in reply for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
The Honble.	Gabriel Duvall	Associate
	Joseph Story	Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

On motion first made to the Court it is ordered that Edmund Kimball Esqr of Massachusetts be admitted a practitioner as an attorney and Counsellor of this Court.

John Duncan, Saml Duncan & Saml Duncan Jun. Wm Pratt, Sarah Parks Adm. Wash Scruggs, Gregory, Enoch Gregory Exr Keith Thomas, Agan, Geo. Jun. Scruggs Thompson Jun. Hemingway, Alex Bagsell, James M'Henry, John Gaskins James Gaskins, William Gaskins Nancy Pate Robert Duncan Jun. & Ephraim Thompson. Plaintiffs in Error.

vs

Richard B. Mason Defendant

50.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel on consideration whereof this Court is of opinion that there is no error in the Judgment & proceedings of the said Circuit Court. Whereupon it is adjudged & ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. "Mr Chief Justice Johnson"

88. John Taylor Plff &c. vs Elisha Riggs ——— Defts.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel on consideration whereof, This Court is of opinion that there is error in the General instructions given by the Court to the Jury in this, that the said Court instructed the Jury that the evidence given by the plaintiff in that Court was competent to support both the first and second counts in the declaration; and also in this that the said Court instructed the Jury that so much of the said Contract as relates to the advance of the three per cent portion of the dividend is executory in so far as regarded the implied attempt of the defendant to refuse the said three per cent advance in the event of there being no dividends on the said dividend day; and also in this that the said Court instructed the jury to find for the plaintiff if they should be satisfied from the evidence that the defendant in his written Contract agreed to sell his Stock at par and to take the earnings which the said Stock had made in lieu of the dividends to be declared at the next dividend day, and that in fact no dividends were made; Wherefore It is considered and adjudged by this Court that the said Judgment be and the same is hereby reversed and annulled, and that the cause be remanded to the Circuit Court with directions to award a Venire Facias de novo and to take other proceedings according to Law. on motion of Mr Marshall

107.	The Lessee of James Hamilton Plaintiff in Error. "vs" Ralph W. Hunt and Jacob D. Lowe ———	Mr Sedgwick of counsel for the plaintiff in Error in this cause, moves to extend the time within which the plaintiff in Error may avail of himself of the Commission granted to him at the last January Term, to wit Feb. 28. 1827, & file any Depositions tending to shew the value of the premises in controversy.
59.	William Henry - plff below. "vs" Mrs Bayard. Mrs Bayard & Robt Bayard & Jacob D. Bay.	The argument of this cause was commenced by Mr C. Hoffman for the plaintiff below, by Messrs Oakley & Ogden for the Defendants & by Mr. Webster for the plaintiff below.
60.	Jno. Schimmelpennich &c. plffs below "vs" Mrs Bayard. Mrs Bayard & Robt Bayard & Jacob D. Bay.	The argument of this cause was commenced by Mr C. Hoffman for the plaintiffs below.
103.	The Bank of Hamilton. "vs" Deff in Error. The Lessee of Ambrose Lindley &c	The argument of this cause was concluded by Mr Baldwin for the plaintiff in Error.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble:	Gabriel	Duvall	Associate
	Joseph	Story	Justices.
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.

Gerrit Schimmelpennick & Jan Adrian Jac Van Ranst Plaintiffs below

vs.

William Bayard William Bayard & Robert Bayard and Jacob De Roy

60.

The argument of this cause was continued by Mr O Hoffman for the Plaintiffs below and by Mr Ekely for the defendants.

Proclamation being made the Court adjourned until Monday morning next at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
	Gabriel Duvall.	
The Hon'ble:	Joseph Story	Associate Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is Opened.

On motion first made to the Court, It is ordered that Humphrey Atherton and David Paul Brown Esquires of Pennsylvania be admitted to practice as attornies and counsellors of this Court.

32. James Greenleaf. Appt
&c
Nicholas Queen & Eleanor his wife heirs and Richard Wallach administrator of Washington Boyce. dec'd

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel

On consideration whereof It is the opinion of this Court that there is error in the said decree in ordering any act to be performed by Richard Wallach before he moves to carry the said suit by regular proceedings against him according to the course and practice of a Court of Chancery and had either answered the bill making him such party as the same had been taken for confessed against him. Also that the said decree is also erroneous in overruling the bill of the Plaintiff in the Court below and also in part decreeing the said Nicholas Queen and Eleanor Queen

his wife the defendants in the said suit to release to the appellant James Greenleaf all their right and property title to the property vested by the said decree to be conveyed to him by the said Richard Marshall for which cause. It is now by this Court decreed and Ordered that the said decree be reversed and annulled and that the cause be remanded to the Court below to be there proceeded in according to law and in conformity with the principles stated in this decree.

"for Mr Justice Washington".

The Heirs of James Hamilton Plaintiff in Error ....

vs

Ralph W Hunt and Jacob D. Lowe ....

On consideration of the motion of Mr Lowrie made this friday of this present Term, Saturday Feb 23. 1828. It is ordered by the Court that the motion be overruled and that the prayer for prolongation of the time granted for taking evidence to shew the value of the premises in controversy be refused. -

"for Mr Ch. Jus. Marshall".

60

Gerrit Schimmelpennick & Jan Adrian Van Vleer Plffs Intern

vs

William Bayard, William Bayard Jr Robert Bayard and Jacob D. Bayard ....

The argument of this cause was continued by Mr Ogden for the defendants, and by Mr Webster for the plaintiffs.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. ....

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice.
	Bushrod Washington	
	William Johnson	
The Hon'ble	Gabriel Duvall	Assocate
	Joseph Story	Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

The Bank of Hamilton		The Court intimated to the Counsel
&c &c Plff in Er.		engaged in this cause that in
103		as much as the validity of the Penal
The Deposit of Dunbar & Sayre		laws of the State of Ohio is involved

in this cause and a decision of the Courts of that State on the subject being anticipated should it be made the cause would be taken under advisement until the next Term.

Montgomery Bell	This cause came on to be heard
Plaintiff in Error.	on the Transcript of the Record
&c	from the Circuit Court of the
75.	United States for the District of
James Morrison, Anthony	Kentucky & was argued by Counsel
Butler and Jonathan Taylor.	On consideration whereof It is

ordered & decreed by this Court that the Judgment of the Circuit Court in this cause be and the same is hereby affirmed with costs.

"Ft. (Wm. Van Ness Story"

James Jackson ex. dem: Lucy Anderson Plff in Err.
vs.
The Clerk & Robert Ellison.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Ohio and was argued by Counsel on consideration whereof It is adjudged and ordered by this court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Cost.

"Pr. Mr. Ch. Jus: Marshall"

The Heirs of James Hamilton Plff in Err.
vs.
Ralph W. Kumb and Israel D. Evans

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Ohio and on motion of Mr Sandridge of Counsel for the plaintiff in error and by consent of Mr Hammond of Counsel for the Defendants in Error, It is adjudged & ordered by this Court that the writ of Error in this cause be and the same is hereby dismissed for want of Jurisdiction.

"Pr. Mr. Ch. Jus Marshall"

Gerrit Schimmelpennick & Van Staphorst Pltfs in Error.
vs.
William Bayard, William Bayard Jr. Robert Bayard and Israel D. Rayner

The argument of this cause was concluded by Mr Webster for the Pltfs in Error.

25. Doe on dem of John A Elmore. Eff in Er. / vs / William G Gaynes & John S. Bentie.

Mr Ware on the part of the Plaintiff in Error prays a diminution of the Record in this case. Ordered. Whereupon it is ordered by this Court that a writ of Certiorari issue forthwith to the Judges of the Circuit Court of the United States for the District of Georgia commanding them to certify under the Seal of the said Circuit Court what proceedings shall be found and return the same with the said writ of Certiorari to this Court.

97. Alsey Rofs Tennt Plaintiff in Error / vs / The Estate of Adam Bailand and Jesse Niles & Frances his wife.

Motion argued by Mr Hunt for the Plaintiff in Error. by Mr Ware for the Defendant in Error and by Mr Hunt in reply on motion for the Plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow afternoon at One Oclock.

1000. Wednesday February 27th 1828.

Pursuant to adjournment the Court met this afternoon at the Capitol.

Present:

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
	Gabriel	Duvall	Associate
The Worthy	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is Opened.

96. William F. Nicholls Richard Osborn James Cazell and Wirtz & Negus vs Thos. Executors of Thomas C. Rodgers deceased

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel, on consideration whereof

It is ordered, adjudged and decreed by this Court that the decree of the Circuit Court affirming the decree of the Orphans Court in the Claim of Thomas Rodgers Exr of Thomas C Rodgers of $1200 for services rendered in the lifetime of the Testator became the same is hereby reversed and annulled, and in all other respects that said decree of said Circuit Court be affirmed. It is further ordered that said cause be remanded to said Circuit Court with directions for further proceedings to be had therein according to law and Justice and in conformity to this Judgment. —

'Pl. Th. Lee Clerk'

92. Humphry Fairfax Executor &c Plaintiff in Error vs The Bank of the United States.

The argument of this cause was commenced for the Plaintiff in Error by Mr Key and by Mr Sergeant for the Defendants in Error.

Proclamation being made the Court is adjourned until tomorrow

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
The Honble.	Gabriel Duvall	Associate Justices
	Joseph Story	
	Smith Thompson	
	Robert Trimble.	

Proclamation being made the Court is Opened. —

The Bank of Columbia
Plaintiff in Error.
vs
John Summers ——

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel, On consideration whereof This Court is of opinion that the motion of Non Assumpsit was well pleaded on the Defendant and that the Court erred in refusing so to instruct the Jury. It is therefore adjudged and ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled. And it is further ordered that the cause be remanded to the said Circuit Court with directions to award a Venire Facias de novo and for further proceedings to be had therein in conformity to this opinion. —

"per Mr Justice Thompson"

Humphrey Fullerton et al. Pltffs in Err. vs. The Bank of the United States —	The argument of this cause was continued by Mr Forsyth for the Defendant in Error and replied to by Mr Cowan for the Plaintiffs in Error.
72	
Cornelius Comegys Admr Petitr.. Plaintiff in Error. vs. Ambrose Vasse	The argument of this cause was opened by Mr Joseph Ingersoll for the Plaintiffs in Error.
38.	

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
The Hon'ble:	Gabriel Duvall	Associate
	Joseph Story	Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened —

94. Robert Barry - Appt
vs
Griffith Coombe

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel On consideration whereof. It is ordered and adjudged by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. And it is further ordered that the cause be remanded to the said Circuit Court for further proceedings to be had therein as to equity and justice shall appertain. —

"Js M. Jus: Johnson."

38. Cornelius Comegys and Andrew Pilet - Plffs in Er.
vs
Ambrose Vasse —

The argument of this cause was continued by Mr. R. Ingersoll for the Plaintiffs in Error and by Messrs. C. J. Ingersoll and E. J. Lee for the Defendants in Error. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. —

Saturday March 1st 1828.

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
The Honble:	Gabriel Duvall	Associate
	Joseph Story	Justices.
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.—

John Lamb, Stephen Ogden, Robert Duncan, John Gilbert, William Gilbert, Kitty Thompson, Elizabeth Marks, William Bell, Nancy Bell, Henry Brown, Samuel Duncan, Lot Samuel Duncan, St. Charles G. Duncan and James Gilbert. — Plaintiffs in Error. — — —

163. — — against —

John Doe on the demise of Richard B. Mason, Rinaldo Johnson, Cicelius Jamison and Ann E. Jamison his wife, William W. Curle, John M. Curle, John W. Brannagh and Ann Brannagh his wife, Ann W. Curle, John Cook, Mason Cook, John W. Green and Milly Green his wife, John Winkat and Nancy Winkat his wife, Polly Pilson, Betsey Cook, Hannah Cook, Mary Cook, Hannah Cook and George F. Thornton, Frank M. Curle, John Mason, Ann Mason, William Mason, George Mason, Eugene E. Mason, William Mason, George Mason, Ann H. Mason, Mary C. Mason, Thornton F. Mason, Richard C. Mason, George W. Mason, Mary B. H. Mason, George Mason, Frank Mason, Eugenia F. D. Mason, Gerard Mason, Thomas Mason, William Mason & Frank his wife, George Thornton, George N. Cook and Frank Pilson. —

Defendants in Error. — — —

On Motion of Mr. Wickliffe of Counsel for the Defendants in Error in this cause and a certificate of the Clerk of the Circuit Court of the United States for the District of Kentucky, that a

writ of Error had been taken out in this cause & the Judgment of said Circuit Court having been given, and the Plaintiffs in Error having failed to lodge a Transcript of the Record in said cause with the Clerk of this Court agreeably to the rules of this Court It is Hereby adjudged and ordered that this cause be dismissed, and that the said writ of Error be and the same is Hereby dismissed. — "Jo: Mc: Ch: Jus: Marshall"

Oneiph Ch Armand
vs
John Brandegee

11

This cause came on to be heard on the Transcript of the Record from the District Court of the United States for the District of East Louisiana and on Motion of Mr Livingston of Counsel for the plaintiff in Error stating that the matters in controversy between the parties have been settled and agreed and by consent of Mr Mechelin of Counsel for the defendant in Error It is adjudged and ordered by this Court that the writ of Error in this cause be and the same is Hereby dismissed. — "Jo: Mc: Ch: Jus: Marshall"

Oneiph Ch Armand
vs
John Brandegee

11

This cause came on to be heard on the Transcript of the Record from the District Court of the United States for the District of East Louisiana and on Motion of Mr Livingston of Counsel for the plaintiff in Error stating that the matters in controversy between the parties have been settled and agreed and by consent of Mr Mechelin of Counsel for the defendant in Error — It is adjudged and ordered by this Court that the writ of Error in this cause be and the same

1006. Saturday March 1st 1828 Continued

	Cornelius Comegys and Andrew Pettit Plff in Er. vs Ambrose Vasse ...	The argument of this cause was concluded by Mr Ogden for the Plaintiffs in Error.
38.		
	John Conard Marshal of the Eastern District of Pennsylvania Plff in Er. vs Atlantic Insurance Company of New York ...	The argument of this cause was commenced by Mr C. J. Ingersoll on behalf of the Plaintiffs in Error.
133.		

Proclamation being made the Court is adjourned until Monday morning next at eleven Oclock.

Monday March 3d 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
	Gabriel Duvall	Associate
	Joseph Story	Justices
	Smith Thompson	
	Robert Trimble	

Proclamation being made the Court is opened.

On motion first made to the Court It is ordered that Christopher E Robbins Esqr of Rhode Island be admitted to practice as an attorney and counsellor of this Court

133. John Conard, Marshal of the Eastern District of Pennsylvania. Plff in Er
vs
The Atlantic Insurance Company of New York.

The argument of this cause was continued by Mr Charles J Ingersoll on behalf of the Plaintiff in Error and by Mr Penny for the defendants &c.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

1008. Tuesday March 4th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Hon'ble:	Gabriel	Duvall	Associate Justices
	Joseph	Story	
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is Opened. —

Charles W Hawkins-Plff in Er
vs
Francisco Y'Ellas Y Ferrar and Josef Antonio Y'Ellas

70.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Maryland and was argued by counsel On consideration whereof. It is the opinion of this Court that there is no error in the Judgment and Proceedings of said Circuit Court in this cause. It is therefore adjudged and ordered by this court that the said Judgment be and the same is hereby affirmed with costs and damages. — Pr Mr Chief Justice Trimble

John Connolly, Marshal of the Eastern dist of Penny'a
vs
The Atlantic Insurance Company of New York. —

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The argument of this cause commenced by Mr Webster on behalf of the Defendant in Error and is not fully concluded by Mr Attorney General Wirt for the Plaintiff in Error —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Marshall	Chief Justice
	Bushrod Washington	
	William Johnson	
	Gabriel Duvall	
	Joseph Story	Associate
	Smith Thompson	Justices
	Robert Trimble	

Proclamation being made the Court is opened.

5. Clement T. Hewitt appt
vs
Christopher Rhodes William Emmes and Richard H. Bonnefil admrs of Lewis Rousmanier decd

The cause was argued by Mr. Kimball for the Appellant by Mr. Rollins for the Appellees & by Mr. Webster for the Appellees, in reply and conclusion by Mr. Webster for the Appellant.

5th James Tinley, William Lyell, Charles Carlin, Robert Ritchie, George Ely & William Simmons
vs
Thomas P. Hines and Belinda his wife

The argument of this cause was opened by Mr. Crowell for the Appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

1016. Thursday March 6th 1828.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice.
	Bushrod	Washington	
	William	Johnson	
The Honble: —	Gabriel	Duvall	Associate
	Joseph	Story —	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened. —

James Tinley, William Tyler.
Charles Natier, Robert Ritchie
page Ely & William Emmerson
"S" 1844
vs.
Thomas L. Hinde and
Rebecca his wife —

This cause was further argued by Mr Emmerson for the appellants and by Mr Eldridge for the appellees. —

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. ——

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
The Hon'ble Joseph Story Associate Justices
Smith Thompson
Robert Trimble

Proclamation being made the Court is Opened

38. Cornelius Comegys and Andrew Pettit Plaintiffs in Error
vs
Ambrose Vasse

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Pennsylvania and was argued by counsel on consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled. And that a Judgment be entered in the said Circuit Court in favour of the Plaintiffs in Error Cornelius Comegys and Andrew Pettit and the cause remanded to the said Circuit Court with directions to enter Judgment for the Plaintiffs in Error in this Court Cornelius Comegys and Andrew Pettit accordingly — "fs to Sup Ct"

72. Humphry Pollard (name erased) John Carlisle & John Vowell. Plaintiffs in Error
vs
The Bank of the U States

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Ohio and was argued by counsel & consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with [illegible]

Thursday March 6th 1828.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	John	Marshall	Chief Justice.
The Honble: —	Bushrod	Washington	Associate Justices
	William	Johnson	
	Gabriel	Duvall	
	Joseph	Story	
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened. —

James Tinsley. William Tyler.
Charles Yates, Robert Ritchie
George Tyler & William Dennison. Appts

57 Thomas S. Hinde and Rebecca his wife —— Appellees

The cause was further argued by Mr Dennison for the appellants and by Mr Goldsborough for the appellees. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. ——

Pursuant to Adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
Gabriel Duvall
The Honorable Joseph Story
Smith Thompson
Robert Trimble

Proclamation being made the Court is Opened

38. Cornelius Comegys and Andrew Pilliet Plffs in Er
vs
Ambrose Vasse

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Pennsylvania and was argued by Counsel. On Consideration whereof. It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled — and that a Judgment be entered in this Court in favour of the plaintiffs in Error, Cornelius Comegys and Andrew Pillet and the cause remanded to the said Circuit Court with directions to enter Judgment for the Plaintiffs in Error in that Court Cornelius Comegys and Andrew Pillet accordingly —

"Jo. Mc Lean Story"

92. Humphrey Fullerton & John Lambert & John Woodside
vs
The Bank of the U States

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Ohio, and was argued by Counsel, On consideration whereof It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with

Friday — March 7th 1828 — Continued.

37.	James Finley and others Appts vs Thomas F Hunter and Belinda his wife ———	This cause was further argued by Mr Jones for the Appellants and in reply & conclusion by Mr Webster for the Appellants.
38.	The United States Appts vs The Patent Bank of Virginia John Webster & others	This cause was submitted to the consideration of the Court on the Transcript of the Record and the Statements of the respective Counsel.
17	Daniel Parker - Appellant &c vs The United States ———	This cause was submitted to the consideration of the Court on the Transcript of the Record and the Statements of the respective Counsels
34.	William Hunter - Appellant &c vs The Bank of Washington	On motion of Mr Key of Counsel for the Defendant in Error. It is ordered that this cause be continued. ———

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. ———

Saturday March 8th 1828.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Honble. Gabriel Duvall Associate
Joseph Story Justices.
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

Ex parte The Bank of Columbia
vs
George Tunnicliff

The motion made by Mr Key in the matter of the Sureties of the Clerk of the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington, on a prior day of this present term to wit on Friday 7th 1828 was on this day argued by Mr Key in support of the motion and by Mr Attorney General and Mr Jones district attorney of the United States for the District of Columbia on behalf and on the part of the Judges shewing cause why a Mandamus should not issue.

Charles A Bradley and
John Nicholas Appts
vs
Daniel Brent & others Respts.

On motion of Mr Key of counsel for the appellees for a rule on the appellants to shew cause why this appeal should not be dismissed for want of Jurisdiction the appellees having filed affidavits and shewing the proper

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this Court that the rule prayed for be granted and that the Clerk of this Court do forthwith issue a certified copy of this rule to be served on the appellants in this case commanding them to shew cause on Saturday next the 15th inst why this appeal should not be dismissed for want of Jurisdiction agreeably to the provisions of the rules of this Court.

The Post Master General of the United States - Appellants
vs
Peter Lee & others

On motion of Mr Attorney General It is ordered by the Court that the Clerk of this Court do forthwith issue to the Judges of the Circuit Court of the United States for the Southern District of New York a certificate of the Judgment of this Court in this cause.

81. The Post Master General of the United States - Appellants
vs
Solomon Southwick & others

On motion of Mr Attorney General It is ordered by the Court that the Clerk of this Court do forthwith issue to the Judges of the Circuit Court of the United States for the Southern District of New York a certificate of the Judgment of this Court in this cause.

82. The American Insurance Comp'y & New York Ins. Company
vs
330 Bales of Cotton &c

The argument of this cause was resumed by Mr Ogden for the Appellants.

Proclamation being made the Court is adjourned until monday morning next at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble	Gabriel	Duvall	Associate
	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.

Genet Schimmelpennick and Jan Herman Van Vleer.

vs.

Jeffs Nelson

This cause came on to be heard on a certificate of division of the Judges of the Circuit Court of the United States for the Southern District of the New York and on the points on which the Judges were divided and was argued by counsel. On consideration whereof this Court is of opinion - 1st That the authority to Nelson to dispose of the Plaintiffs did not amount to an acceptance of the Bills. - 2d & 3d That the bills mentioned in the declaration were drawn by the Defendant and under the authority of the Plaintiffs but on his own account and the plaintiffs were not bound to accept and pay them out of the funds of the drawer came to their hands. - 4th & 5th These questions are considered to be waived and do not appear to arise in the case. - 6th & 7th question is decided by the answers to the 2d & 3d so far as respects the right of the Plaintiffs to maintain their action. On the quantum of damages this Court can give no opinion.

All which is ordered to be certified to the Court of the United

William Bayard and William Bayard & Robert Bayard & and Jacob L. Bay

vs.

Jeffs Nelson

This cause came on to be heard on a certificate of division of the Judges of the Circuit Court of the United States for the Southern District of the New York and on the points on which the Judges were divided and was argued by counsel. On consideration whereof this Court is of opinion - 1st That the authority to Nelson to dispose of the Plaintiffs did not amount to an acceptance of the Bills. - 2d & 3d That the bills mentioned in the declaration were drawn by the Defendant but under the authority of the Plaintiffs but on his own account and the plaintiffs were not bound to accept and pay them out of the funds of the drawer came to their hands. - 4th & 5th These questions are considered to be waived and do not appear to arise in the case. - 6th & 7th question is decided by the answers to the 2d & 3d so far as respects the right of the Plaintiffs to maintain their action. On the quantum of damages this Court can give no opinion.

All which is ordered to be certified to the Court of the United

William Berry Plff in Error
vs
William Bayne William Bayne & Robert Bayard & Jacob D. Roy

59.

This cause came on to be heard on a certificate of division of opinion of the Judges of the Circuit Court of the United States for the Southern District of New York and on the point on which the said Judges were divided in opinions and was argued by counsel. On consideration whereof this Court is of opinion That the plaintiff had a right under the circumstances to accept and pay the bill in question under protest for the honour of the defendants, and is entitled to recover the amount with charges and interest. which is ordered to be certified to the said Circuit Court.

"P. M. Ch. Jus. Marshall."

The United States. Appts
vs
The Patriot Bank of Virginia & John Webster and others

58.

This cause came on to be heard on the Transcript of the Record from the District Court of the United States for the Western District of Virginia holden at Clarksburg and was argued by counsel On consideration whereof This Court is of opinion that there is no error in the decree of the said District Court rendered in this cause —

It is therefore decreed and ordered by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed. "P. M. Ch. Jus. Marshall."

The Bank of Columbia
vs
George Vincenyn

In the matter of a Copy of the Judges of the Circuit Court of the United States for the District of Columbia. Holden in and for the County of Washington. In consideration of the application for a mandamus to the said Judges in the above cause and on a hearing of the arguments of Counsel for and against the same and mature deliberation being thereupon had the Court being of opinion that this is not a case for a mandamus. It is adjudged and ordered by this Court that the mandamus be refused and that the Motion be overruled. — "By Mr Cl Jno Marshall"

The American Insurance Company and New York Fire Insurance Company
vs
356 Bales of Cotton
David Graves. Claimant.

The argument of this cause was continued by Mr Ryan for the Appellants and by Messrs Whipple & Mechlin for the Claimants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Tuesday — March 11th 1828.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John Marshall Chief Justice
Bushrod Washington
William Johnson
The Hon'ble: Gabriel Duvall Associate
Joseph Story Justices.
Smith Thompson Esq
Robert Trimble

Proclamation being made the Court is opened. —

James Finley, William Lytle, Charles Walker Robert Ritchie George Ely & William Lemmon. 5th Cr — Appts:
vs
Thomas F. Hinde and Belinda his Wife ——

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Ohio and was argued by counsel, on consideration whereof. It is the opinion of this Court that there is error in the proceedings and decree of said Circuit Court in this. That Abraham Garrison ought to have been made a party but was not before decree was made between the parties in the cause, Wherefore It is adjudged decreed and ordered that the decree of the said Circuit Court for the District of Ohio in this cause be, and the same is, hereby, wholly reversed annulled and set aside. And it is further ordered that the cause be remanded to the Court from whence it came, with instructions to permit the complainants upon application for that purpose to amend their bill, and make proper parties; and to proceed as now, in the cause from the filing of such amended bill, as law and equity may require.

61. Stephen Waring Jr Appellant
vs
James Jackson & others
Executors of John Wood — Appellees

This cause came to be heard on the Transcript of the Record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel, On Consideration whereof. It is adjudged and ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same hereby affirmed with costs.

"Jos. M. Lee. Thompson."

62. Stephen Waring Jr Appellant
vs
James Jackson & others
Executors of John Wood. — Appellees

This cause came to be heard on the Transcript of the Record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel, On Consideration Whereof. It is adjudged and ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

"Jos. M. Lee. Thompson."

72. The American Insurance Company and New York Ocean Insurance Company — Appellants
vs
336 Bales of Cotton — Appellees
David Coulter Claimant.

This cause was further argued by Mr Ogden for the Appellants and

	Reuben M Whitney Appt	This cause was submitted
91	vs	to the Court on the Tran-
	The United States	script of the Record.
	Ellison Rep. Tenants	On motion of Mr Key
	Plaintiffs in Error	this cause is submitted
97	vs	to the consideration of
	The Heirs of Adam Bartlam	the Court on the Tran-
	and Heirs Nelson and Frances	script of the Record.
	his wife	
	James L Wolf & Heirs &c	The argument of this cause was
86	vs	opened by Mr Hall for the
	Daniel Jacques Ralston & others	Plaintiff in Error.

Proclamation being made the Court is adjourned
until tomorrow morning at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Hon'ble Gabriel Duvall Associate
Joseph Story Justices.
Smith Thompson
Robert Trimble

Proclamation being made the Court is opened.

John Rogers Vanderheyden Plaintiff in Error	vs	On motion of Mr Berrien of Counsel for the Plaintiff in Error
138.		It is ordered, that the argument
Duncan McArthur		of this cause be fixed for the [illegible]

James L. Wolff Plaintiff in Error	vs	The argument of this cause was continued by Mr Hall for the Plaintiff in Error by Mr Sprague and Mr Hunt for the Defendants in Error and by Mr Ogden in reply for the Plaintiff in Error.
86.		
Louis Jacques Robineau		

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock.

Thursday March 13th 1828.

Pursuant to adjournment the Court met this morning at the usual hour.

Present

The Honorable John Marshall Chief Justice.
Bushrod Washington
William Johnson
The Hon'ble Gabriel Duvall Associate
Joseph Story Justices
Smith Thompson &
Robert Trimble

Proclamation being made the Court is opened.

On motion first made to the Court. It is ordered that William Sprague Esqr of New York be admitted to practice as an attorney and Counsellor of this Court.

Reuben H Whitney Appt
vs
The United States

This cause came on to be heard on a Transcript of the Record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel; On consideration whereof, It is considered, ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

"P. Mr Ch. Jus. Marshall"

86.	James I Wray & ux Pltffs in Error vs Lewis Jacques Robert & al	The argument of the cause was concluded by Mr Ogden for the Plaintiff in Error.
66.	Hiram Bray & Ebn Nash & Ephraim Nash. Pltffs in Er. vs The State of Mississippi	The cause was argued by Mr Parker for the Plaintiffs in Error & by Mr Clarke for the defendant in Error and in reply & conclusion by Mr Duffy for the Plaintiffs in Error.
67	Robert I Lewis Thomas I Williams & Andrew Marsh. Pltffs in Error vs The State of Mississippi	The cause was argued by Mr Parker for the Plaintiffs in Error & by Mr Clarke for the defendant in Error and in reply and conclusion by Mr Duffy for the Plaintiffs in Error.
68	Thomas Clarke Pltff in Er. vs The State of Mississippi	The cause was argued by Mr Parker for the Plaintiffs in Error by Mr Benton for the defendant in Error and in reply and conclusion by Mr Duffy for the Plaintiff in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present:

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble:	Gabriel	Duvall	Associate
	Joseph	Story	Justices
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened. —

John Conard, Marshal of the Eastern District of Pennsylvania - plff in Er.

133.

The Atlantic Insurance Company of New York —

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Pennsylvania and was argued by Counsel, on consideration whereof, It is ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. — "Jo. Mc. Lea. Story." —

On Motion first made to the Court It is ordered that John F. Tyson Esq. of Maryland be admitted to practice as an Attorney and Counsellor of this Court. —

69. The United States for the use &c / vs / Nicholas Ellenberg and Edmund Morgan

The cause was argued by Mr Attorney General for the plaintiff in Error

78. Ann Pray. Executrix of George M. Wales and John G. Maxwell Executors of John Pray. dec'd Appt's / vs / George G. Bell Trustee &c and James S. Knott for use

The argument of this cause was commenced by Mr Brannan for the appellants and by Mr Key for the Appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock.

Saturday March 15th 1828

Pursuant to adjournment the Court met this morning at the Capitol

Present:

The Honorable	John	Marshall	Chief Justice
	Bushrod	Washington	
	William	Johnson	
The Honble:	Gabriel	Duvall	Associate
	Joseph	Story	Justices.
	Smith	Thompson	
	Robert	Trimble	

Proclamation being made the Court is opened.

Daniel Parker. Plff in Er.
vs
The United States Defts

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel, On consideration whereof, It is adjudged and ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Js. M. Jus: Duvall

5. Clement P. Hewitt. Appt
vs
Christopher Rhodes William Emmes and Richard H. Randolph admrs of Emmes Rousmanier, deceased.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel; On Consideration, It is decreed and ordered by this Court that the Decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. — "Jos. Mc Lean Washington"

72. The American Insurance Company of New York and Canal Insurance Company
vs Appts
356 Bales of Cotton — David Canter. Claimant

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of South Carolina and was argued by Counsel, on Consideration whereof, It is decreed and ordered by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs — "Jos. M. Lean Marshall"

70. Charles W. Hathaway Appellee
vs
Francisco Ysleta Ysleta and Joseph Antonio Ysleta —

On motion of Mr Hunt of Counsel for the defendants in Error. It is Ordered that the Clerk of this Court do forthwith issue a Mandate in this cause. —

Saturday March 15th 1828 - Continued.

Ann Peay. Executrix. Grace M Herbert and John S Maxwell Executors of John Peay dec'd
vs
Appts.

78. Grace G Bell Executrix and James P Heath - Exr Admr

The cause was further argued in reply and conclusion by Mr Berrien for the Appellants

Anthony Butler - Plff in Er
vs
82. Sterling M Pearce

Mr Cruikshank of Counsel for the Plaintiff in Error, moved the Court to continue this cause to the next Term - which was opposed by Mr Coye.

Anthony Butler - Plff in Er
vs
78. Commercial Bank of Lumberton

Mr Cruikshank of Counsel for the Plaintiff in Error, moved the Court to continue this cause to the next Term - which was opposed by Mr Coye

Edward Camfield & others
vs
1. Appts
Prall Inness and others

On motion of Mr Key of Counsel for the Appellants. It is ordered that this cause be continued to next Term

105. Richard Beadle Admr of John Wilkins. ——— Plaintiff in Error
vs
James G Wilkins ——

The argument of this cause was opened by Mr Coxe for the plaintiff in Error by Mess.rs Baldwin and Jones for the defendant in Error and in reply was concluded by Mr Coxe for the plaintiff in Error

Proclamation being made the Court is adjourned until Monday afternoon at One O'clock. ——

Monday March 17th 1828.

Pursuant to adjournment the Court met this afternoon at the Capitol.

Present

The Honorable	John	Marshall	Chief Justice.
	William	Johnson	
	Gabriel	Duvall	
The Honble.	Joseph	Thompson	Associate Justices
	Robt	Trimble	

Proclamation being made the Court is opened. ~~~

Hugh Ross Servant. Plaintiff in Error ~~~ &c

Jesse of Hiram Barland. Jesse Wilson & Thomas Wife.

This cause came on to be heard on the Transcript of the Record from the Supreme Court of the Supreme Court of the State of Mississippi and was argued by counsel. On Consideration whereof It is the opinion of this Court that the Supreme Court of the State of Mississippi has not misconstrued the act of Congress on which the Plaintiff below relies and it is therefore adjudged and ordered by this Court that the Judgment of said Supreme Court of the State of Mississippi be and the same is hereby affirmed with Costs.

"Js Mr Jno. Trimble." ~~~

Richard Biddle admr of John Wilkes ats
105 Pltff in Er
James L Wilkes

The cause came on to be heard on the Transcript of the Record from the District Court of the United States for the District of Mississippi and was argued by counsel, On consideration whereof. It is adjudged and decreed by this Court that the Judgment of the said District Court in this cause be and the same is hereby affirmed reversed and annulled. And it is further ordered that the cause be remanded to the said District Court with directions to permit the defendant to plead de novo if he should wish so to do — "per Mr Justice Thompson"

Hannah Gray and others
66 Pltffs in Er
The State of Mississippi

On consideration It is ordered by this Court that this cause be held under advisement until the next Term "per Mr Ch Jus Marshall"

Robert J Dance and others
67 Pltffs in Er
The State of Mississippi

On consideration It is ordered by this Court that this cause be held under advisement until the next Term "per Mr Ch Jus Marshall"

Thomas Watson
68 Pltff in Er.
The State of Mississippi

On consideration It is ordered by this Court that this cause be held under advisement until the next Term "per Mr Ch Jus Marshall"

6.	John Clay - Plff. in Er vs Abraham Smith ...	On consideration - It is ordered by this Court that this cause be continued for further advisement until the next Term. "Jo: Mc Kh: Jus: Marshall."
82	Wm Henry Butler - Plff in Er. vs Sterling & Banner ...	On consideration of the motion made by Mr Mickliffe of Counsel for the plaintiff in error for a [illegible] day of this present term (Saturday 15th March). It is ordered that said motion be overruled ... "Jo: Mc Kh: Jus: Marshall."
86.	James L'Wolf & Plff in Er vs James Jacques Roland. Jun Philippe Frederick Roland Alphonse M. Roland and A. E. Belknap. minrs	This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On Consideration whereof, It is adjudged and ordered by this Court that the Judgment of said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per Annum. ... "Jo: Mc Kh: Jus: Story."

The United States
Plaintiff in Error
vs.
Nicholas Brooks & Edmund Morgan
Defendants

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel on consideration whereof It is ordered by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled and that the cause be remanded that the said Circuit Court may grant leave to the Defendants to plead. —

"Jas. Mc Kenzie Clk. Marshall."

Jno. Peay, Executor of J. J. Maxwell and Geo. M. Winter Executor of John Peay Appellants
vs.
George E. Hall Executor &c. and Daniel Heath Executor &c.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States and for the District of Georgia and was argued by Counsel, on consideration whereof, It is ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed and annulled and it is further ordered that the cause be remanded to the said Circuit Court for further proceedings to be had therein and that the plaintiffs may amend their Bill.

"Jas. Mc Kenzie Clk. Marshall."

Anthony Butler.
Plaintiff in Error.
vs.
Sterling M Burns.

This cause came on to be heard on the Transcript of the Record from the District Court of the United States for the District of Mississippi and was argued by Counsel On consideration whereof, It is ordered and adjudged by this Court that the Judgment of the said District Court in this cause be and the same is hereby affirmed with costs and damages at the rate of Six per centum per annum. ~~~

"Ft. Wm. Ch. Just: Marshall."

Charles A Scully and John F Ritchie
Appellants
vs.
Samuel Burford Samuel Hartz and John Gazzler Trustees &c

On consideration of the motion made by Mr Key at a prior day of this term (March 4th inst.) for a rule on the Appellants to show cause why this cause should not be remanded for want of jurisdiction and by consent of Mr Key It is ordered that the rule be discharged

"Ft. Wm. Ch. Jus. Marshall"

The Farmers Bank of Virginia
Appellant
vs
23. The United States and Edmund Thields and others heirs and Miles King admr of Charles K. Mallay

"Fr. Mc Lch: Jus: Marshall."

On motion of the Appellants Counsel & there not appearing any counsel interested on the part of the Appellees in this cause on the 4th day of the present term (23d Day) and to reinstate the cause. It is ordered by the Court that the dismissal be struck out and that the cause be reinstated on the Docket of this Term.

The Farmers Bank of Virginia
Appellant
vs
23. The United States and Edmund Thields and others heirs and Miles King admr of Charles K. Mallay

"Fr. Mc Ch: Jus: Marshall."

On motion of the Attorney General of Counsel for the Appellees. It is ordered that the Appeal in this cause be and the same is hereby dismissed for want of jurisdiction, it not appearing to the Court that the sum in controversy is $2000.

Proclamation having been made the Court is adjourned to the first Monday in April next by Law.

1680.

At a Session of the Supreme Court of the United States begun and held at the Capitol of the United States in the City of Washington being the present Seat of the National Government of the United States, On the first Monday of August, being the fourth day of the same Month, in the Year of our Lord One thousand eight hundred and twenty eight and of the Independence of the United States the fifty third Agreeably to the act of Congress in such case made and provided The Honble. One of the Associate Justices of the said Supreme Court of the United States and circuit of the fourth Circuit in the State of Maryland present and the Clerk of the said Supreme Court attending

It is ordered by the said Judge that the following entries be made in the following actions. Vizt:—

Edward Campbell and
William Kemp Executors
of William Campbell.
vs. Appt
Paul Francis and others

Continued from last Term

1. Continued.

John Hamilton and
William Hay
vs. Appts
Joshua Barney Dfts

Continued from last Term

2 Continued

	Allen McLane. Claim't of a moiety of the Forfeiture of the Cargo of Ship Good Friends.	Continued from last Term.
3.	The United States	Continued.
	John Gaynor - Jeff in Er.	Continued from last Term.
4	The Union Bank of Geo. Town	Continued.
	John Clay - Jeff in Er.	Continued from last Term
5	Abraham Tomb	Continued
	Theodore Wesson & others	Continued from last Term
6	Jeff in Er	
	The City Council of Charleston	Continued.
	William Pantiff and John Warren's Reins. Aff'ts	Continued from last Term.
7	John McKim Jr.	Continued.
	Theodore John A. Elmore.	Continued from last Term.
8.	Jeff in Er.	
	William G. Grymes and John S. Beales	Continued.

Richard. Veitch and
John H. Greene. admrs
of Anthony Greene. Effts

Continued from last Term

9. Joseph Smith ——

Continued

William Hunter Miller.

Continued from last Term

10. " "

The Bank of Washington

Continued.

Abraham L. Pennock and
James Pitkin. Effts &c

Continued from last Term

11 " "

Adam Denroyer

Continued

William G. Buchner.

Continued from last Term

13. " Effts Contra

The Trustees of Salem Chapel

Continued

John Mack & Moses Herbert

Continued from last Term

13. " Effts &c

The Board of Trustees of M. Church

Continued

Hiram Gray & others

Continued from last Term

14. " Effts in Error.

The State of Mississippi.

Continued

	Robert T. Davis and others	Continued from last Term.
15	do Plffs in Er.	
	The State of Mississippi	Continued.
	Thomas Marlow. Plff in Er.	Continued from last Term.
16	do	
	The State of Mississippi	Continued
	Anthony Butler Plff in Er.	Continued from last Term.
17	do	
	The Commercial Bk. of Louisville	Continued
	Abraham Venable and	Continued from last Term
	George W Donald. Affts	
18.	do	
	The Bank of the U. States.	Continued.
	The Bank of Hamilton Plff in Er	Continued from last Term.
19	do	
	The Defts of Amherst County Va	Continued.
	William Bayard & others	Continued from last Term
20	do Plffs in Er	
	Rutger Jan Schermerhorn	Continued
	James Connelly & others	Continued from last Term
21	do Affts	
	Richard Taylor & others	Continued

	Sol. W. Long Exr	Continued from last Term
22	James Hamilton et al	Continued
	Joseph F Hoffman Exr	Continued from last Term.
23.	The Bank of the United States	Continued
	The Confederate Museum	Continued from last Term.
	Confrey of Museum	
24	Joseph W Turner	Continued
	William Fairfax Exr	Continued from last Term
25:	John B Bradford et al	Continued
	William C Green	Continued from last Term
26	Exr of Pollard	
	John M Collins et al	Continued
	James Taylor	Continued from last Term
	Thomas Ellen Exr	
27	Same Heirs	Continued

	The United States Appt	Continued from last Term
28.	vs	
	Isaac T. Preston, Attorney General of Louisiana	Continued.
	James Boyce's Exrs - Appts	Continued from last Term
29.	vs	
	Felix Grundy am -	Continued.
	The Bank of the United States.	Continued from last Term.
30.	vs Jeff. in Er.	
	Thomas Corcoran	Continued.
	John P. Van Ness Jeffn'te	Continued from last Term.
31.	vs	
	Perez Packard	Continued.
	J Carpenter Jeffn'te	Continued from last Term
32.	vs	
	Anthony Butler	Continued.
	James Clark and others	Continued from last Term
33.	vs Appts	
	The Bergantine Lodge Healy & Cargo - J. L. Hodge Pub Rep'r	Continued.
	The United States Jeffn'te	Continued from last Term
34.	vs	
	Thomas Buford	Continued

35.	Robert Boyce Pltff in Er vs Paul Anderson & others	Continued from last Term Continued.
36.	Thomas T. Tunnelay. Pltff in Er vs Joseph K. Tunnelle	Continued from last Term Continued
37	William Patterson Defdt vs Pltff in Er. Willis Yerby & others. Tenants.	Continued from last Term Continued
38	Antonio Pantaleon Hoins. vs Appellee The United States	Continued from last Term Continued
39.	Le Roy Pierson & Als Pltff in Er vs Geo. Johnson	Continued from last Term Continued
40	The President & Directors of the Bank of the Commonwealth of Kentucky. vs Pltff in Er John Wesler and others	Continued from last Term Continued.
41.	The President & Directors of the Bank of the Commonwealth of Kentucky vs Pltff in Er. John Bobby & John C. Mc P	Continued from last Term Continued

	Thomas T. Wallace Pff in Er.	Continued from last Term
42	" "	
	Emerson Watkins	Continued.
	William H. Wallace Appt	Continued from last Term
43	" "	
	The United States	Continued
	Lind. Jackson & Joseph Jackson	Continued from last Term
44	" Pff in Er.	
	John Twenty-man	Continued
	John Inglis - Lessee	Continued from last Term.
45	" "	
	The Trustees of the Parlor Improvement Society in the City of New York Tenants	Continued
	The Representatives (Children) of the heirs of Geo. Cathey decd	Continued from last Term
46	" Pff in Er	
	Robert Bryant	Continued
	Ann Thanks & others (Appellants)	Continued from last Term
47	" Pff in Er	
	Abraham Dupont Cathey	Continued

	Isaac Thompson Servt	Continued from last Term	
48.	" " Affft.		
	Mr Dixon & Wife vs Jackson	Continued	
	Joseph Mandeville & others, Stockholders in the late Merchants Bank of Alexandria Affts	Continued from last Term.	
49.	" "		
	Romulus Riggs	Continued.	
	Mr Dixon & Wife vs Jackson	Continued from last Term.	
50.	" " Defendant.		
	John Harman	Continued.	
	Saml Hunt Executor &c	Continued from last Term.	
51.	" " Affts		
	Robert Mitchell	Continued	
	George Beach Affft &c	Continued from last Term	
52.	" "		
	Nathan Vales and others	Continued	
	The Bank of the U. States	Continued from last Term	
53	" " Affts		
	Saml Morgan & Son vs Same	Continued	
	John F Mercer Executor &c	Continued from last Term	
54.	" " Defts		
	E English vs Jackson	Continued	

55	The Bank of the United States. vs. Jeffers & Co	Continued from last Term
	Thomas M. Conrad	Continued.
56.	Lawrence J. Taylor and Isaac Tuckett Affts vs. Joseph Smith	Continued from last Term.
57.	Le Roy Bayards Exrs vs. Jeffers & Co	Continued from last Term.
	The President Directors of the Manhattan Fire and Marine Insurance Company of Boston	Continued.
58.	Daniel Wilkinson - Jeffers & Co	Continued from last Term
	Thomas Leland and others	Continued.
59.	John Sandridge Affts	Continued from last Term
	Martha Washingtons Exrs	Continued
60	John F. Ritchie. Afft	Continued from last Term.
	Philip Mauro and Joseph Forrest	Continued.

	William Hamlen	Jeff in Ex	Continued from last Term
61.	"	"	
	William Hamlen	admr	
	William Wynn		Continued.
	John	M'Kinney & others	Continued from last Term
62.	"	" Jeff'n	
	John	Connell	Continued
	Anthony Pauli & Thos Posey		Continued from last Term
63	"	" Jeff'n in Ex	
	Justices Putnam for the		
	use of Haines and Osgood		Continued
	John	Fisher Jeff in Ex	Continued from last Term
64.	"	"	
	James	Higgins	Continued
	John	Tucker Jeff in Ex	Continued from last Term
65.	"	"	
	William	Graham	Continued
	The Bank of the United States		Continued from last Term
66.	"	"	
	William	Owens & others	Continued

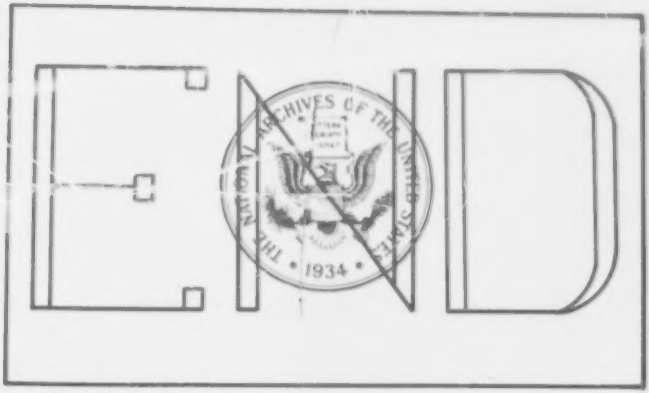
	Thompson Williamson & others	Continued from last Term.
67.	ats Appeal &c.	
	The Black Rock Creek	
	Manuf Company	Continued.
	Anthony Timmins Executor &c others	Continued from last Term
68.	ats	
	George Boucher	Continued.
	William McClung Appellee &c	Continued from last Term
69.	ats	
	Wyllys [illegible]	Continued.
	William T Galt & others Appellants	Continued from last Term.
70.	ats	
	Chas Taylor & others	Continued.
	John Reynolds Executor	Continued from last Term
71.	ats Appellee &c	
	Simeon & Arthur	Continued.
	Charles & Beatty and	
	John T Ritchie	Continued From last Term.
72.	ats Appellants	
	Daniel Bryan & others	
	Trustees &c	Continued.

73.	David English & others vs Appts	Continued from last Term
	Catherine Foxall	Continued
74.	David English & others vs Appts	Continued from last Term
	Catherine Foxall	Continued
75.	Claudius F Legrand vs Appts	Continued from last Term
	Nicholas Darnall	Continued
76	Joseph Stevens and Micajah Pennell Appts vs	Continued from last Term
	Thomas Cantchen and Harriet H. Pannell	Continued
77.	Joseph Stevens and Micajah Pennell Appts vs	Continued from last Term
	John Hammerly and Harriet H. Pannell	Continued
78.	Alexander Finlay and John L. Mitchell Appts vs	Continued from last Term
	William King	Continued

79.	John Smith T. Appt vs The United States	Continued from last Term. Continued.
80.	James Jackson ex. dem. Harman V. Hart. Tiff in Er. vs John Lewis —	Continued from last Term. Continued.
81.	James Jackson ex. dem. Harman V. Hart. Tiff in Er. vs Orin Smith —	Continued from last Term Continued. —
82.	James Jackson ex. dem. Harman V. Hart. Tiff in Er. vs Samuel Ethelcourt	Continued from last Term Continued. —
83.	James Jackson ex dem Harman V. Hart. Tiff in Er. vs Amos Lewis —	Continued from last Term Continued. —
84.	James Jackson ex. dem. Harman V. Hart. Tiff in Er. vs Amos Lewis —	Continued from last Term Continued. —

	James Jackson ex: dem. Harman V. Hart. Jeff in Ca:	Continued from last Term.
85.	Elias Dampshire	Continued.
86	Alexander Gordon and Samuel Hart. Jeffson Ca. Francis B Ogden	Continued.

Proclamation being made the Court is adjourned to this time and place appointed by Law.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